



Scott County
Planning Advisory Commission
Monday, July 13, 2020
6:30PM

Scott County Government Center
County Board Room
200 Fourth Avenue West
Shakopee, MN



Scott County
Monday, July 13, 2020
Planning Advisory Commission Meeting

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**SCOTT COUNTY
PLANNING ADVISORY COMMISSION
AGENDA**

**Scott County Government Center
200 Fourth Avenue West
Shakopee, Minnesota**

**Monday, July 13, 2020
County Board Room at 6:35 PM**

I. ROLL CALL AND INTRODUCTIONS

II. APPROVAL OF JUNE 8, 2020 PAC MEETING MINUTES

III. CONSENT AGENDA

(All items listed are considered by the Planning Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Planning Commission Board member or public member so requests, in which event the item will be removed from the Consent Agenda to be considered separately.)

3.1 PUBLIC HEARING 6:35 PM – GANSEN REZONE (PL#2020-027)

- A. Request to Rezone 40 Acres from A-1, Agricultural Preservation District to A-3, Agricultural Preservation Density District.

Location: Section 23
Township: Belle Plaine
Current Zoning: A-1

3.2 PUBLIC HEARING 6:35 PM – NOVAK REZONE (PL#2020-028)

- A. Request to Rezone 40 Acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District.

Location: Section 36
Township: Helena
Current Zoning: UER

3.3 PUBLIC HEARING 6:35 PM – NORTHSTAR MUDJACKING (PL#2020-025)

- A. Request for an Interim Use Permit for a Home Extended Business to Operate a Mud-Jacking Company.

Location: Section 36
Township: New Market
Current Zoning: UER

IV. PUBLIC HEARING 6:40 PM – ADVANCED EXHAUST SOLUTIONS (PL#2020-029)

- A. Request for an Interim Use Permit to Operate a Home Extended Business to Design and Manufacture Exhaust Components in the RR-1C District.

Location: Section 12
Township: Cedar Lake
Current Zoning: RR-1C

V. PUBLIC HEARING 6:45 PM – SCOTT COUNTY ZONING ORDINANCE NO. 3 and NO. 7

A. Request to Consider Amendments to the Scott County Zoning Ordinance No. 3 & 7

VII. PLANNING MANAGER UPDATE

VIII. GENERAL & ADJOURN



**SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES**

**Scott County Government Center
200 Fourth Avenue West
Shakopee, Minnesota**

Monday, June 8, 2020

Broadcast via Webex Teleconference from Scott County Boardroom at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:30 pm with the following members present, Donna Hentges, Ed Hrabe, Lee Watson, Ray Huber, Barbara Johnson and Gary Hartmann. All present via Webex Teleconference.

County Staff Present: Marty Schmitz, Zoning Administrator; Greg Wagner, Principal Planner; Nathan Hall, Associate Planner, Kiera Swanson, Audio Visual Assistant; Tom Wolf, County Board Commissioner; and Barb Simonson, Deputy Clerk to the Board. All present via Webex Teleconference.

II. APPROVAL OF MAY 11, 2020 MINUTES

Motion by Commissioner Hengtes; second by Commissioner Watson to approve the minutes of May 11, 2020 Planning Advisory meeting. Commissioner Huber and Commissioner Hrabe joined the meeting after the approval of the minutes.

Chair Vonhof called for a roll call vote with results as follows:

Commissioner Vonhof: Aye

Commissioner Hartmann: Aye

Commissioner Hentges: Aye

Commissioner Hrabe: Not present at the time of the vote

Commissioner Huber: Not present at the time of the vote

Commissioner Johnson: Aye

Commissioner Watson: Aye

The motion passed with 5 Ayes.

III. CONSENT AGENDA

3.1 PUBLIC HEARING 6:30 PM: BRUCE KOEPP (PL#2020-022)

- A. Request to Rezone 50.12 Acres From A-1, Agricultural Preservation District to A-3, Agricultural Preservation Density District.
- B. Request for Preliminary Plat and Final Plat of the Jonason Family Ridge Consisting of one lot and two Outlots on 50.12 Acres in the A-3 District.

Location:	Section 27
Township:	Blakeley
Current Zoning:	A-1

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat meets all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance.
2. *Adequate Potable Water Supply* – the parcel will utilize an individual well.
3. *Adequate Roads or Highways to Serve the Subdivision* – the lot has frontage on 270th Street West and Raven Road, both gravel Blakeley Township roads. Access permits are required from the township for any new accesses.
4. *Adequate Waste Disposal Systems* – the proposed lot will meet all requirements of the individual sewage treatment system ordinance prior to County Board consideration.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2040 Comprehensive Plan for the development in the Agricultural Area.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers.
7. *Consistency with the Minnesota Environmental Quality Board's Policies- the proposal does not require any environmental review and is therefore consistent with the policies of the Minnesota Environmental Quality Board.*
8. *Consistency with Capital Improvement Plans* – the proposed plat is not requiring any county funded road improvements; therefore, it is consistent with the County's capital improvement plan.

3.2 PUBLIC HEARING 6:30 PM: WEBB PALLET SERVICES (PL#2020-013)

- A. Request for Conditional Use Permit Amendment to Construct an Office Building and Other Site Alterations

Location: Section 4
Township: Sand Creek
Current Zoning: I-1

Criteria for Approval:

1. The use will not create an excessive burden on public facilities and utilities that serve or are proposed to serve the area.
The property is served by paved public roads. There are no imminent plans to provide municipal services to the area.
2. The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.
The use is allowed in the I-1 district through a CUP, and adjacent uses are generally industrial in nature and of similar type. Additional plant material is proposed to further screen the neighboring residence from the facility.

3. Each structure or improvement is so designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.
The proposed structure will use exterior finishes similar to office park buildings in the area.
4. The use is consistent with the purposes of the Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
The use is consistent with the uses allowed as a CUP in the I-1, Rural Industrial District.
5. The use is not in conflict with the Comprehensive Plan of Scott County.
The Comprehensive Plan guides this property as Industrial.
6. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide sufficient on-site parking.
Access to the site will be maintained from Jordan Avenue, a paved Township road. Adequate parking is included in the proposed changes to the site.
7. Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.
The proposed business expansion will utilize an individual well and private sewage treatment system, as well as stormwater infiltration areas.
8. All buildings/structures must meet the intent of the State Building Code and/or fire codes.
The proposed building will require building permits and review by the Scott County Building Department for conformance to the State Building Code.

Conditions of Approval:

1. The applicant is to notify the Scott County Zoning Administration Department in January of each year, stating they are in compliance with the conditions of the Conditional Use Permit (CUP). Failure to do so may be a basis for revocation of the Conditional Use Permit.
2. If ownership of the building changes, the new owner shall contact the Sand Creek Township Board and the County Planning Office to review the conditions of the Conditional Use Permit.
3. Oils, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
4. Adequate parking shall be provided on site.
5. Only domestic sewage may be discharged to the septic tank/drainfield. All wastewater from commercial industrial floor drains and non-domestic sink sources shall be pumped to a holding tank unless otherwise approved in writing by the Scott County Environmental Health Office.
6. The property shall be maintained in a neat and orderly manner, including landscaping and fence screening.
7. Signage shall conform with the Scott County Sign Ordinance.
8. All solid waste shall be managed according to the Scott County Solid Waste Ordinance.

9. No burning of solid waste shall be allowed on site.
10. The operation shall be conducted according to the applicant's letter dated 12-16-96 and site plan dated 05-27-2020.
11. The existing residence shall be removed from the site within 5 years from the date the CUP amendment is approved.
12. Prior to any construction or grading, the applicant shall provide the County with a \$5,000 financial guarantee to ensure compliance with required site improvements including grading/stormwater management facilities, landscaping, paving, screening fence, and other improvements required by the Scott County Zoning Ordinance.

Motion by Commissioner Huber; second by Commissioner Hrabe to approve the consent agenda.

Chair Vonhof called for a roll call vote with results as follows:

Commissioner Vonhof: Aye

Commissioner Hartmann: Aye

Commissioner Hentges: Aye

Commissioner Hrabe: Not present at the time of the vote

Commissioner Huber: Aye

Commissioner Johnson: Aye

Commissioner Watson: Aye

The motion passed with 6 Ayes

IV. PUBLIC HEARING 6:35 HIGHWAY 169 COMMERCIAL PLAT (PL#2017-003)

- A. Request for Preliminary Plat for Highway 169 Commercial Subdivision Consisting of 6 Lots on 40 Acres.

Location:	Section 21
Township:	Louisville
Current Zoning:	C-1

Planner Marty Schmitz presented the staff report for this application. The specific details within the staff report and a video are available on the Scott County Website link: [June 8, 2020 Planning Advisory Commission Agenda Packet](#). (To view the staff report on the county website using the link, click on the download arrow and click on Agenda, then Save and then Open. Next open the bookmark at the top of the page and click on the Hwy 169 Commercial project name.)

Chair Vonhof opened the floor for Commissioner Questions and Comments

Commissioner Johnson inquired about a house on the property and if it will be removed. *Mr. Schmitz reported there was no house on this property to be removed but there was on the previous project report which was slated to be removed within 5 years.*

Commissioner Hentges commented on the significant number of conditions that will have to be met for approval and asked for confirmation that this initial approval just for the preliminary plat. *Mr. Schmitz confirmed there are several conditions that need to be resolved including the on-site septic systems and whether NSP will give access to the utility easement for proposed improvements. The Environmental Health department was confident the issues regarding the septic sites can be addressed. The issues raised by the Township Engineer*

and the Natural Resource departments concerns about stormwater will be addressed prior to the matter going before the county board. The County has offered the applicant the ability to utilize excess capacity in a large stormwater pond within the proposed plat that is maintained by the county. Any use of this pond by the applicant will require a maintenance agreement with the applicant. Mr. Schmitz referred to the developer for further information.

Applicant Jess Moeding reported he has been in contact with NSP on the matter. He has an old letter of approval on a similar plat but thought he should get an updated approval on this plat which is in process of being reviewed. In another development he worked on, NSP allowed improvements to the easement so feels it is a common issue.

Chair Vonhof opened the meeting for public comment. County staff reported they did not receive any public comment regarding the application prior the meeting, however, have received one email from the public during the meeting:

Audrey Murante, 13610 Skyline Cir, inquired:

- If their home value will be impacted by the request to build below and if trees or screening will be built

Mr. Schmitz responded to the question. He reported the property is zoned Commercial, the applicant is developing the property in compliance with the County's Comprehensive Plan and zoning ordinances, which designate the area along Highway 169 to be commercial. Regarding the trees, the applicant is planning to maintain the trees along the southern portion of the property and a greenbelt planting strip will be installed along the northern portion of the property. The greenbelt planting strip will consist of a variety of evergreens, deciduous trees and shrubs of a sufficient density to compose an 80% visual screen to a height of 6 feet. Mr. Schmitz also noted the septic sites within the trees are alternate sites and would not be used unless there is a problem with the primary sites.

Motion by Commissioner Hartman to close the public hearing; second by Commissioner Watson to close the public hearing. The motion carried unanimously as follows per roll call vote:

**Commissioner Vonhof: Aye
Commissioner Hartmann: Aye
Commissioner Hentges: Aye
Commissioner Hrabe: Aye
Commissioner Huber: Aye
Commissioner Johnson: Aye
Commissioner Watson: Aye**

Motion by Commissioner Johnson; second by Commissioner Hartman based on the criteria for approval listed in the staff report, to recommend approval of the Preliminary Plat of the Highway 169 Commercial Plat, noting that this recommendation is subject to approval of the conditions listed in the staff report that must be satisfactorily addressed prior to county Board consideration of the project. The motion carried unanimously per roll call vote as follows:

**Commissioner Vonhof: Aye
Commissioner Hartmann: Aye
Commissioner Hentges: Aye
Commissioner Hrabe: Aye
Commissioner Huber: Aye**

Commissioner Johnson: Aye

Commissioner Watson: Aye

Conditions to be Satisfied Prior to County Board Consideration of Preliminary Plat:

1. Any conditions stated in the Scott County Environmental Health Department review of the proposed septic drain field sites.
2. Any conditions stated in the Scott County Natural Resources Department review of the stormwater management plan, grading plan, and erosion control plan.
3. Any requirements listed in the Louisville Township recommendation or the review comments of the Township Engineer.
4. Any comments/conditions listed in MNDot's review of the Plat.
5. The wetland delineation reports shall be reviewed and approved by the SWCD and Louisville Township.
6. Applicants must receive approval from NSP to located septic and storm water facilities within the 200 foot power line easement.
7. A Development Agreement is drafted to ensure all required site improvements are constructed and installed according to the approved plans. This agreement will be a Three-Way Agreement between the Developer, Township and County. Approval of the Development Agreement will accompany the Final Plat.

Criteria for Plat Approval:

1. *Adequate Drainage* – the proposed plat will meet all stormwater drainage requirements as identified in Chapter 6 of the zoning ordinance prior to County Board consideration.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing an individual wells, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – the property will have access and frontage on a frontage road (Louisville Road) that has been constructed by the County. Driveway access to the lots will be off the frontage road.
4. *Adequate Waste Disposal Systems* – the proposed lot will meet all requirements of the individual sewage treatment system ordinance prior to County Board consideration.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2030 Comprehensive Plan for development in the Commercial/Industrial Area.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers.
7. *Consistency with the Minnesota Environmental Quality Board's Policies*- the proposal does not require any environmental review and is therefore consistent with the policies of the Minnesota Environmental Quality Board.
8. *Consistency with Capital Improvement Plans* – the proposed plat takes advantage of the frontage roads constructed as part of the 169/41/78 intersection project and is consistent with the County's capital improvement plan.

V. PLANNING MANAGER UPDATE REPORT-Presented by Greg Wagner

VI. GENERAL & ADJOURN

Motion by Commissioner Hartmann; second by Commissioner Hrabe to adjourn the meeting at 7:05 PM. The motion carried unanimously per roll call vote as follows:

Commissioner Vonhof: Aye

Commissioner Hartmann: Aye

Commissioner Hentges: Aye
Commissioner Hrabe: Aye
Commissioner Huber: Aye
Commissioner Johnson: Aye
Commissioner Watson: Aye

Tom Vonhof
Chair, Planning Advisory Commission

Date

Barbara Simonson
Deputy Clerk to the Board

Date

DRAFT



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
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Rezoning – Gansen – PL2020-027

Request:

A) Rezoning of 40 acres from A-1, Agricultural Preservation District, to A-3, Agricultural Preservation Density District.

Nathan Hall, Associate Planner, is the project manager and is available for questions at 952-496-8892.

General Information:

Applicant:	Denise Edstrom	Site Location:	25460 Church Ave. Belle Plaine
Property Owners:	Arnold & Patricia Gansen	Township:	Section 23, Belle Plaine
Public Hearing Date:	July 13, 2019	Action Deadline:	July 30, 2020 (60 Day)

Zoning/Comprehensive Plan Information:

Zoning District:	A-1, Agricultural Preservation District	Comprehensive Land Use Plan:	Agricultural Transition
Overlay Zoning District:	Shoreland	School District:	New Prague #721
Watershed District:	Scott WMO	Fire District:	New Prague
Ordinance Sections:	Chapter 27	Ambulance District:	Ridgeview (Belle Plaine)

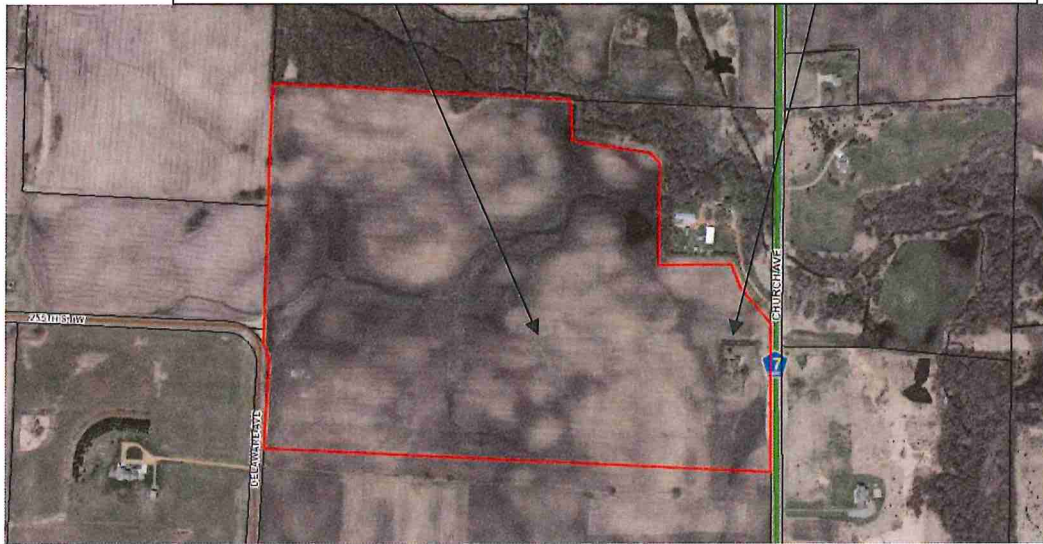
Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Certificate of Survey dated May 20, 2020
4. Environmental Services Memo dated June 11, 2020

Comprehensive Plan-	The property is located within the 2040 Comprehensive Plan's Agricultural Transition Area.
Adjacent Land Use/Zoning-	<p><u>North</u> – 15 acre residential parcel and 16 acre outlot, zoned A-3, & 40 acre agricultural parcel, zoned A-1</p> <p><u>South</u> – 120 acre agricultural parcel, zoned A-1</p> <p><u>West</u> – 40 -100 acre agricultural parcels, zoned A-1</p> <p><u>East</u> – 40 acre residential parcels, zoned A-1</p>
Existing Conditions-	The property consists of an existing single family home surrounded by productive cropfields.
Ordinance Requirements-	<p><u>Density</u> – 1 dwelling unit per 40 acres or quarter-quarter section.</p> <p><u>Lot Size</u> –The minimum lot size for an existing farmstead shall be determined by the topography of the property, the ability to locate the principal dwelling, any accessory structures, and two (2) individual sewage treatment systems, which all meet applicable setback requirements.</p> <p><u>Lot Width</u> – 150 feet for non-farmstead from the front setback line maintained to the primary building site</p> <p><u>Structure Setbacks:</u></p> <p>Front Yard: One hundred fifty (150) feet from the centerline of a County road, or one hundred (100) feet from the State road right-of-way, whichever is greater.</p> <p>Side Yard: Thirty (30) feet</p> <p>Rear Yard: Sixty (60) feet</p>
Proposed Development-	<p><u>Density</u> – 1 dwelling unit per 40 acres or quarter-quarter section.</p> <p><u>Lot Size</u> – 2.86 acres of land for existing home; The remaining agricultural parcel is 37.14 acres.</p> <p><u>Lot Width</u> – Minimum proposed is 326.47 feet</p> <p><u>Setbacks</u> – The existing house is 199.2 feet from the centerline of the County roadway.</p>
Existing Roads-	The property has frontage on Church Avenue (County 7)
Proposed Roads-	No new roads are proposed for this project.
Public Hearing Notice-	Required public hearing notices were mailed to all adjacent property owners within ½ mile of the project.

Site Photo:

View of the existing parcel and surrounding land. Home is along the eastern boundary.

**Background & Analysis**

Denise Edstrom is requesting to rezone 40 acres of the 104.97 acre parent parcel from A-1, Agricultural Preservation District, to A-3, Agricultural Preservation Density District. The property is owned by the Arnold and Patricia Gansen. The rezoning will allow the family to separate the existing home from the surrounding agricultural land. The County Subdivision Ordinance allows for existing homes to be separated from agricultural land on parcels 40 acres or greater through an Administrative Subdivision.

The property is located in Section 23 of Belle Plaine Township along Church Avenue. The rezoning to A-3 will allow for creation of a parcel less than 40 acres but also will leave the agricultural land zoned at a 1 home per 40 acre density required to remain eligible for agricultural tax benefit programs.

The applicant has submitted a survey of the proposed parcel that would be created after a successfully rezoning to the A-3 District. The proposed 2.86 acre parcel would leave adequate room for the home and septic system to be accommodated within the required setbacks.

Environmental: The applicant has provided documentation for a new primary and an alternate septic site within the boundaries of the proposed 2.86 acre parcel. The Scott County Environmental Services Department has completed a review of the septic system locations and soil boring information and provided the attached approval memo.

Natural Resources: No grading or other land disturbing activities are proposed for this rezoning request. The National Wetland Inventory does not identify any wetlands on the subject property.

Highway: The Scott County Highway Department is reviewing the application and will determine what additional right-of-way may be required for the administrative subdivision.

Township Recommendation:

The Belle Plaine Town Board will be making a recommendation at their July, 2020 meeting. A copy of the recommendation will be provided at the public hearing.

Staff Recommendation:

Based on the project information submitted by the applicant and subject to the conditions of approval, the proposed rezoning conforms to the Zoning and Subdivision Ordinances; therefore, staff recommends approval of the Rezoning based on the criteria for approval listed below.

Criteria for Approval:

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*

The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for preservation of agricultural land.

2. *The proposed use is or will be compatible with present and future land uses of the area.*

The use is not changing and while the lot size is being reduced the overall density will remain at one unit per 40 acres.

3. *The proposed use conforms to all performance standards contained in this Ordinance.*

The use of the property is not changing, the majority of the property will remain in agricultural production.

4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*

The use is not changing and therefore will not adversely impact public service capacity for local service providers.

5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

The existing residence has frontage on Church Avenue and the access point will not be altered. The remaining agricultural parcel has an existing field access.

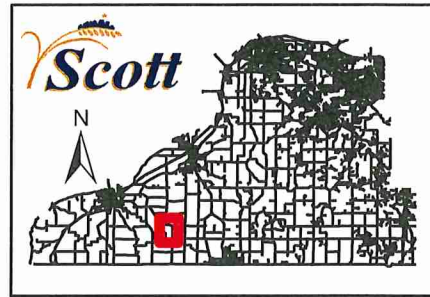
Planning Advisory Commission/Township Alternatives:

1. Approve the request as recommended by Zoning Administration staff.
2. Approve the request as recommended by the Zoning Administration staff with specific conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

Suggested Motion for Planning Advisory Commission or Township Board:

Based on the criteria for approval listed in the staff report, I recommend approval of the rezoning of 40 acres from A-1, Agricultural Preservation District, to A-3, Agricultural Preservation Density District.

**BELLE PLAINE TOWNSHIP
SECTION 23
ARNOLD & PATRICIA GANSEN
REQUEST FOR REZONING**



Union Hill Boulevard

250th Street West



255th Street West

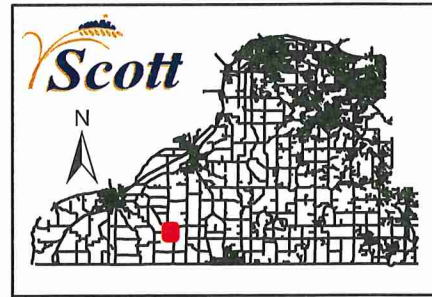
Area of Rezoning

Delaware Avenue

Church Avenue

260th Street West

**BELLE PLAINE TOWNSHIP
SECTION 23
ARNOLD & PATRICIA GANSEN
REQUEST FOR REZONING**



7
COUNTY

Church Avenue

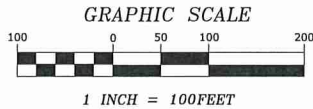
Area of Rezoning

Delaware Avenue

CERTIFICATE OF SURVEY

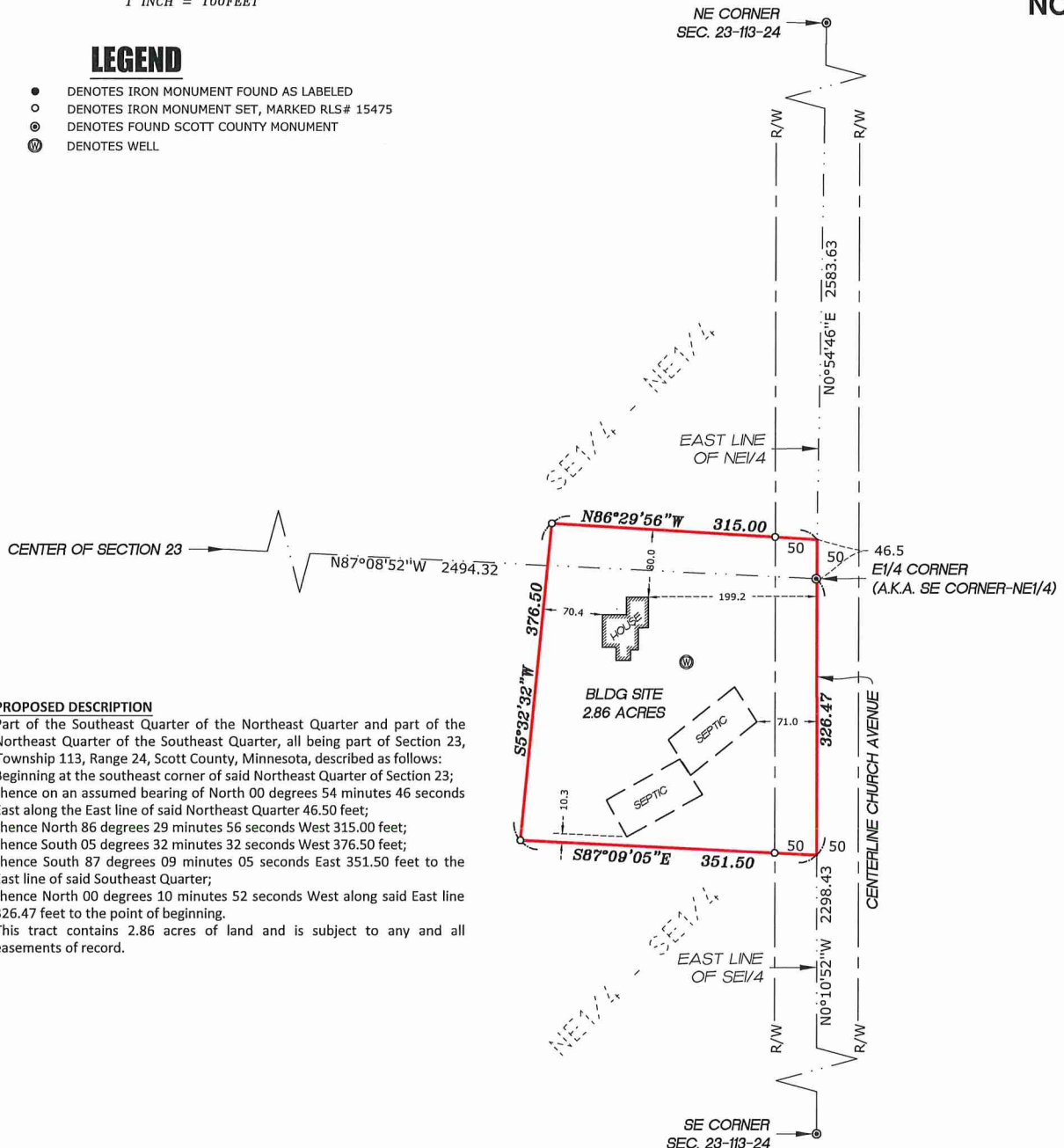
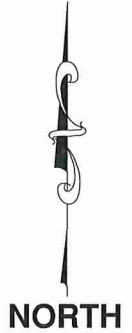
~for~ ARNOLD & PATRICIA GANSEN

~Part of~ NE1/4-SE1/4 & SE1/4-NE1/4, Sec. 23-113-24
Belle Plaine Twp., Scott Co., MN



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 15475
- ⊙ DENOTES FOUND SCOTT COUNTY MONUMENT
- ⊕ DENOTES WELL



PROPOSED DESCRIPTION

Part of the Southeast Quarter of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter, all being part of Section 23, Township 113, Range 24, Scott County, Minnesota, described as follows: Beginning at the southeast corner of said Northeast Quarter of Section 23; thence on an assumed bearing of North 00 degrees 54 minutes 46 seconds East along the East line of said Northeast Quarter 46.50 feet; thence North 86 degrees 29 minutes 56 seconds West 315.00 feet; thence South 05 degrees 32 minutes 32 seconds West 376.50 feet; thence South 87 degrees 09 minutes 05 seconds East 351.50 feet to the East line of said Southeast Quarter; thence North 00 degrees 10 minutes 52 seconds West along said East line 326.47 feet to the point of beginning. This tract contains 2.86 acres of land and is subject to any and all easements of record.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

AVERY GROCHOW

Date: 05/20/20 License No. 15475

DRAWN BY:	SW	JOB NO:	20.0418BS	DATE:	05/20/20
CHECK BY:	AG	FIELD CREW:	JM		
1					
2					
3					
NO.	DATE	DESCRIPTION	BY		

EST. 1977
E. G. RUD & SONS, INC.
Professional Land Surveyors
335 Main Ave., P.O. Box 988
Gaylord, MN 55334
Tel. (507) 237-5212



SCOTT COUNTY
Environmental Services

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8177 • Web www.scottcountymn.gov

Memo

Date: June 11, 2020
To: Greg Wagner, Zoning Department
From: Mary VonEschen, Environmental Services Department
Subject: PL2020-0027 Administrative Subdivision Gansen

The Scott County Environmental Services Department has completed a review of the septic system locations and soil boring information for the project located at 25460 Church Ave in Belle Plaine Township. The septic system information and soil information provided (dated 5/11/2020) appears to be in conformance with the Scott County Subsurface Sewage Treatment System Ordinance #4 and Minn. Rules Chapter 7080.

If you have any questions, please contact me at (952) 496-8344.



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

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Rezoning – Novak – PL2020-028

Request:

A) Rezoning of 40 acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District

Nathan Hall, Associate Planner, is the project manager and is available for questions at 952-496-8892.

General Information:

Applicant:	Randy Kubes	Site Location:	27725 Redwing Avenue
Property Owners:	Goldie M. Novak Revocable Trust	Township:	Section 36, Helena
Public Hearing Date:	July 13, 2020	Action Deadline:	August 2, 2020 (60 Day)

Zoning/Comprehensive Plan Information:

Zoning District:	UER, Urban Expansion Reserve	Comprehensive Land Use Plan:	Urban Expansion
Overlay Zoning District:	Shoreland, Bluff	School District:	New Prague #721
Watershed District:	Scott WMO	Fire District:	New Prague
Ordinance Sections:	Chapters 2 & 31	Ambulance District:	North Ambulance

Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Concept Plan
4. Septic Inspection Letter
5. Septic Plan

Comprehensive Plan-	The property is located within the 2040 Comprehensive Plan's Urban Expansion Area for the City of New Prague.
Adjacent Land Use/Zoning-	<u>North</u> – 55 acre agricultural parcel, zoned UER <u>South</u> – 10 acre vacant parcels, zoned UBR <u>West</u> – 2 acre residential parcel & 38 acre agricultural parcel, zoned UER <u>East</u> – 11 acre residential parcel & 7 acre commercial parcel, zoned UER
Existing Conditions-	The property consists of an existing house and fields in agricultural production. The property is adjacent to the Sand Creek protected watercourse.
Ordinance Requirements-	<u>Density</u> – 1 dwelling unit per 40 acres or quarter-quarter section. <u>Lot Size</u> – One (1) acre of non-hydric land. Where independent sewage treatment systems are proposed, each lot shall demonstrate sufficient land area to accommodate two (2) independent sewage treatment systems. <u>Lot Width</u> – One hundred (100) feet shall be maintained at the required front yard setback, and extending to the location of the principal structure. <u>Structure Setbacks:</u> Front Yard: One hundred fifty (150) feet from the centerline of a County or State road or one hundred (100) feet from the County or State road right-of-way, whichever is greater. Side Yard: 15 feet Watercourse: 100 feet
Proposed Development-	<u>Density</u> – 1 dwelling unit per 40 acres. <u>Lot Size</u> – 4 acres for existing house; The remaining agricultural parcel is 36 acres. <u>Lot Width</u> – Minimum proposed is 100 feet <u>Setbacks</u> – The existing home meets the required property line setbacks but is a legal non-conforming distance from Sand Creek.
Existing Roads-	The property has frontage on Redwing Avenue
Proposed Roads-	No new roads are proposed for this project.
Public Hearing Notice-	Required public hearing notices were mailed to all adjacent property owners within ½ mile of the project.

Site Photo:

View of the parent parcel and adjacent land. Existing house is located at the southern edge.

**Background & Analysis**

Randy Kubes is requesting to rezone 40 acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District. The property is owned by the Goldie M. Novak Revocable Trust. The rezoning will allow the owner to separate the home from the surrounding productive land. The County Subdivision Ordinance allows for existing homesteads to be separated from agricultural land on parcels 40 acres or greater through an Administrative Subdivision.

The property is located in Section 36 of Helena Township along Redwing Avenue. The rezoning to UER-C will allow for creation of a parcel less than 40 acres but also will leave the agricultural land zoned at a 1 home per 40 acre density required to remain eligible for agricultural tax benefit programs. The UER-C District is intended to preserve land in those areas of Scott County identified in the Comprehensive Plan for logical future extension of urban land uses served by public utilities.

Environmental: The existing septic system failed a compliance inspection in November, 2019. The applicant has provided a new septic design and an alternate site location within the boundaries of the proposed 4 acre parcel. Environmental Services requires that the system be replaced by 11/24/2029. Environmental Services is unable to approve the design until the sites are identified correctly on a certificate of survey. All the requirements of Environmental Services will need to be met prior to approval of the Administrative Subdivision.

Natural Resources: The property does include area of bluff and shoreland associated with Sand Creek. No grading or other land disturbing activities are proposed for this rezoning request.

Highway: The Highway Department will review the survey when available to determine what additional right-of-way dedication may be required for the administrative subdivision.

Township Recommendation:

The Helena Town Board will be making a recommendation at their July, 2020 meeting. A copy of the recommendation will be provided at the public hearing.

Staff Recommendation:

Based on the project information submitted by the applicant and subject to the conditions of approval, the proposed rezoning conforms to the Zoning and Subdivision Ordinances; therefore, staff recommends approval of the Rezoning based on the criteria for approval listed below.

Criteria for Approval:

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*

The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for Urban Expansion Areas.

2. *The proposed use is or will be compatible with present and future land uses of the area.*

The use is not changing and while the lot size is being reduced the overall density will remain at one unit per 40 acres.

3. *The proposed use conforms to all performance standards contained in this Ordinance.*

The use of the property is not changing; the majority of the property will remain in agricultural production.

4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*

The use is not changing and therefore will not adversely impact public service capacity for local service providers.

5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

The farmstead has access from Redwing Avenue. No increase in traffic generation is anticipated.

Planning Advisory Commission/Township Alternatives:

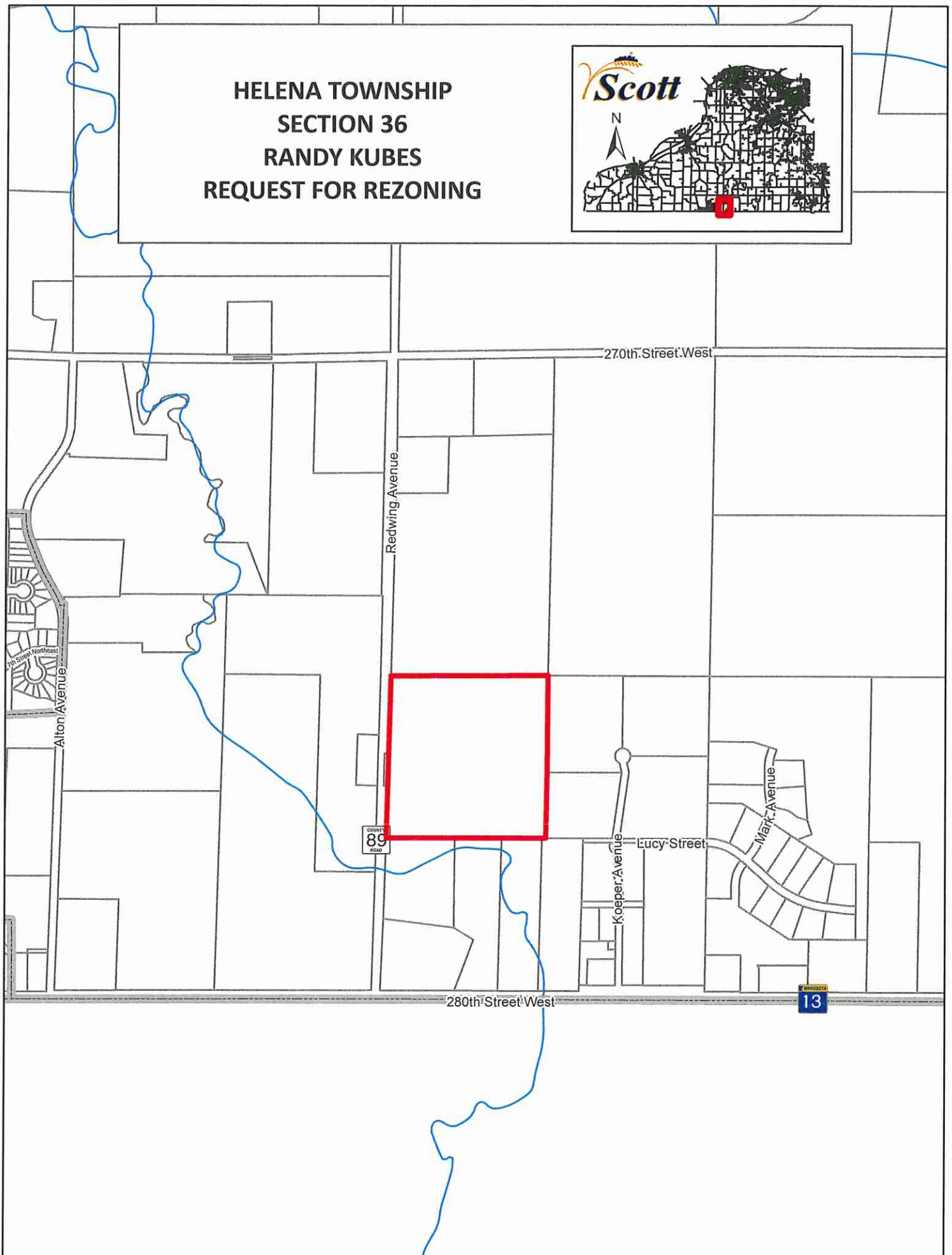
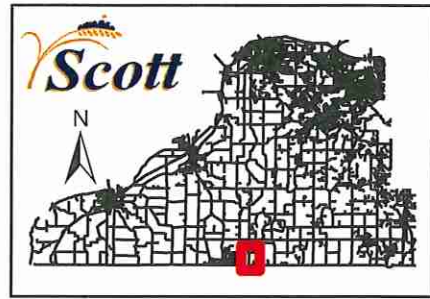
1. Approve the request as recommended by Zoning Administration staff with the specified conditions.
2. Approve the request as recommended by the Zoning Administration staff with amendments to the conditions.

3. Table the request for a specific reason.
4. Deny the request for a specific reason.

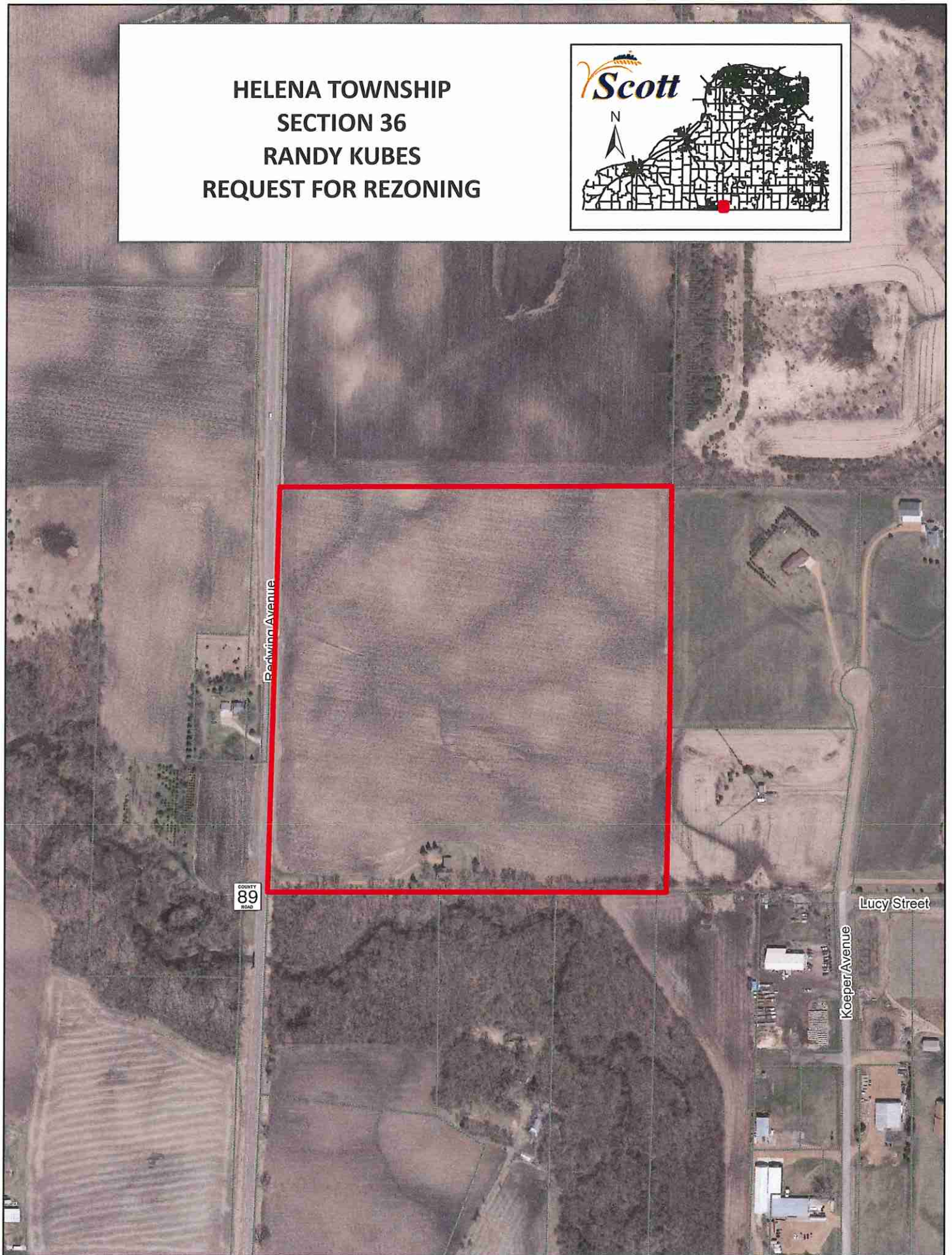
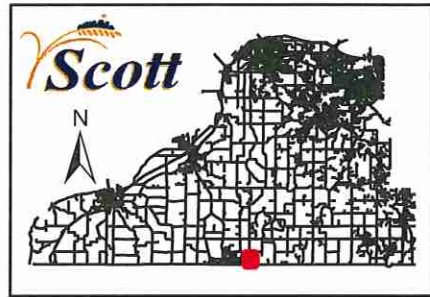
Suggested Motion for Planning Advisory Commission or Township Board:

Based on the criteria for approval listed in the staff report, I recommend approval of the rezoning of 40 acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District.

HELENA TOWNSHIP
SECTION 36
RANDY KUBES
REQUEST FOR REZONING



**HELENA TOWNSHIP
SECTION 36
RANDY KUBES
REQUEST FOR REZONING**



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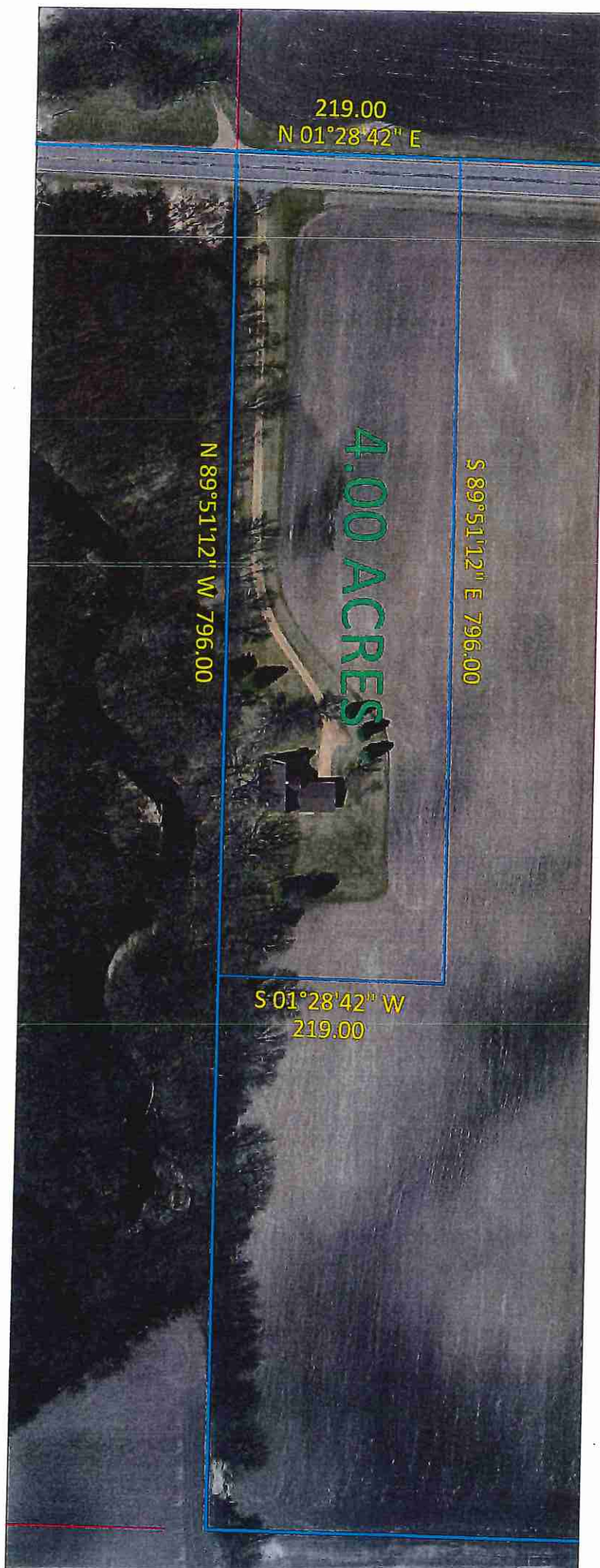
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Sample



Redwing
Ave

Sample



SCOTT COUNTY
Environmental Services

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8177 • Fax (952) 496-8496 • Web www.scottcountymn.gov

December 10, 2019

NOVAK REVOCABLE TRUST
GOLDIE M NOVAK
5520 BROOKVIEW AVE
EDINA MN 55424

RE: Septic System at 27725 REDWING AVE, Helena Twp.

Dear Ms. Novak:

This letter regards the compliance inspection of the subsurface sewage treatment system (SSTS or septic system) at 27725 REDWING AVE on November 24, 2019. The results of the compliance inspection indicate that the septic system is not in compliance because it has less than three feet of vertical separation between the bottom of the drainfield and periodically saturated soil or bedrock (limiting layer).

The property is located in an area of the County where surface contaminants present a low risk of contaminating the underlying bedrock aquifer (which may be used as a source of drinking water). The Scott County SSTS Ordinance No. 4 requires that an SSTS located in an area that presents a low contamination risk and is too deep to function properly to be replaced within ten years of the compliance inspection date. Therefore, the SSTS must be replaced or otherwise brought into compliance with Minnesota Rules Chapters 7080-7081 and the SSTS Ordinance **by November 24, 2029.**

Enclosed is a list that includes licensed site designers and installers that can assist you with designing and installing a new system. You must obtain a permit from this Department to replace your system.

If the system becomes an imminent health threat (for example, by discharging to the ground surface or backing up into your home), you will be required to replace the system within ten months. See the enclosed handout on Septic System Best Management Practices for information on how to care for and extend the life of your system.

If your property is sold before the SSTS is replaced, you are required to disclose to the buyer that the system is not in compliance (as described in this letter) in accordance with State Statutes 115.55, subdivision 6. The time period to replace the SSTS transfers with the property.

Please contact me (952-496-8344, mvoneschen@co.scott.mn.us) if you have any questions.

Sincerely,

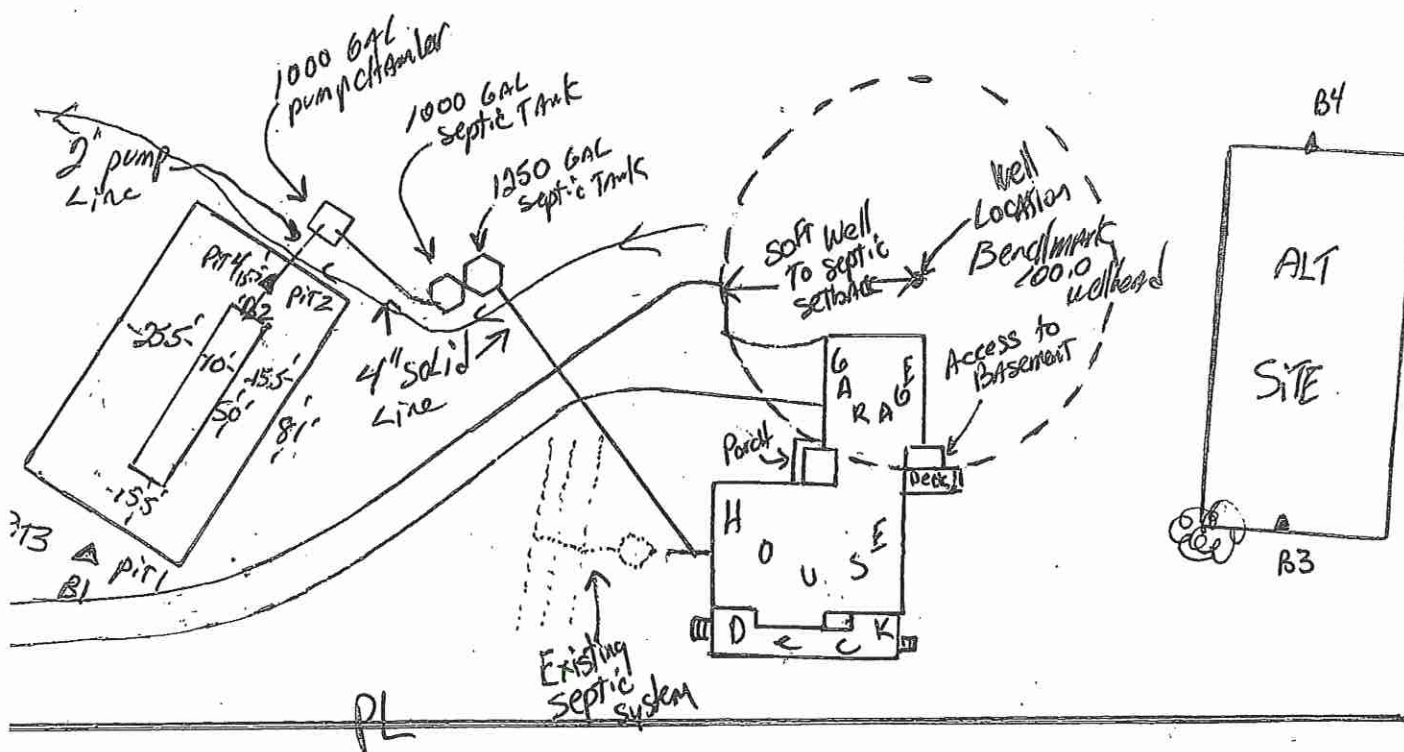
Mary VonEschen
Scott County Environmental Services Department

Enclosure

REQUIRED INFORMATION Check box if completed:

- ☐ Road right-of-way(s)
- ☐ Lot lines
- ☐ Lot dimensions
- ☐ Lot easements
- ☐ Setbacks from buildings
- ☐ Proposed to existing buildings with foundations

50



HSE out	92.5
Tank In	90.5
Tank out	90.0
Tank In	89.5
Tank out	89.0
Pump ch In	88.0
Set Pump	84.0
MAN in Mound	92.0

I hereby certify as the State of Minnesota Licensed Site Evaluator that the individual sewage treatment system diagrammed above is designed in accordance with all applicable requirements of Minnesota Rules Chapter 7080. The diagram of the on-site treatment system is accurate as of the date at the bottom of this form for the site identified in this report. No determination of future hydraulic performance can be made due to future water usage over the life of the system.

Certification Statement/As-Built

I hereby as a State of Minnesota Licensed Installer that the individual sewage treatment system diagramed above was installed in accordance with all applicable requirements of Minnesota Rules Chapter 7080. The diagram of the installation is accurate as of the date at the bottom of this form for the site identified on the reverse side of this form. No determination of future hydraulic performance can be made due to future water usage over the life of the system.

L2656

Dec. 11, 2010



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER GC114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952)496-8653 • Fax (952)496-8496 • Web: scottcountymn.gov

Home Extended Business IUP – Northstar Mudjacking

Request:

Home Extended Business Interim Use Permit (IUP) for Chris Hilfer to operate a mudjacking business
Greg Wagner, Principal Planner, is the project manager and is available for questions at 952-496-8360.

General Information:

Applicant:	Chris Hilfer & Julie Kacon	Site Location:	11400 280 th Street East
Property Owner:	Chris Hilfer & Julie Kacon	Township:	Section 36, New Market
Public Hearing Date:	July 13, 2020	Action Deadline:	September 25, 2020 (120 Day)

Zoning/Comprehensive Plan Information:

Zoning District:	Urban Expansion Reserve, UER	Comprehensive Land Use Plan:	Urban Expansion Area
Police District:	Scott County Sheriff	School District:	New Prague (721)
Watershed District:	Scott WMO	Fire District:	Elko New Market
Ordinance Sections:	Chapters 2, 8, & 30	Ambulance District:	Allina Northfield

Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Applicants Narrative
4. Site Plan(s)
5. Building/Lighting Plan

Request-	Interim Use Permit (IUP) for Chris Hilfer to operate a mudjacking business.
Comprehensive Plan-	The proposal is consistent with the goals and policies of the Urban Expansion Reserve Area identified in the 2040 Comprehensive Plan. It is also consistent with the Plan's economic development goals of supporting home based small business.
Adjacent Land Use/Zoning-	<u>North</u> – 77-acre agricultural parcel, zoned UER <u>South</u> – 20-acre residential parcel, Rice County <u>East and West</u> – 10-acre residential parcels, zoned UER
Existing Conditions-	The 10-acre parcel has an existing home and small detached accessory building located on the south end of the property. The southern end is wooded along the entrance driveway, and the north 5 acres is open agricultural land. There is a large overhead power line cutting through the wooded area from the south property line to the central west property line.
Ordinance Requirements-	<u>Lot Size</u> – 5 acres for home extended business. <u>Structure Setbacks:</u> Front Yard: 150' from the centerline of a County road or 100' from the County road right-of-way, whichever is greater Side Yard: 30 feet Rear Yard: 60 feet
Proposed Development-	<u>Lot Size</u> – 10 acres <u>Setbacks</u> – Front Yard: 450 feet from centerline Side Yard: 125 and 135 feet Rear Yard: exceeding 60 feet
Existing Roads-	The property has frontage and driveway access to County Road 86, 280 th Street East, a paved County road.
Road Improvements-	No road Improvements have been proposed, the site has a single driveway access to the county road.

Site Photo- A view looking north at the south end of the property and building location.



Analysis:

Chris Hilfer and Julie Kacon are requesting an Interim Use Permit (IUP) for a home extended business to operate mudjacking business from a new accessory building located at 11400 280th Street East. The property is located in section 36, New Market Township and is zoned Urban Expansion Reserve, UER, which allows home extended businesses through an Interim Use Permit (IUP) on parcels 5 acres or larger. Home extended business standards include limiting numbers of employees, business vehicles, storage of vehicles within an enclosed structure, and screening from public right-of-way and adjacent residential uses.

The applicants have a purchase agreement on the property contingent on approval of the IUP, after which they will close on the parcel and homestead the property. Their home business is a seasonal mudjacking company as explained in their attached business narrative. County Ordinance regulations allow 1 non-resident employee working on site and up to 3 business associated vehicles. As outlined in the narrative they have 2 seasonal employees that come to the property and then leave the site in the 2 company trucks (mudjacking truck and dump truck). They will store the trucks and equipment inside the new pole building, which will also be used for personal storage, as required by the zoning ordinance.

The 10-acre site is wooded on the south end up to the existing home and small detached shed location. The applicants plan to construct a new 2,720 sq. ft. personal storage building where the trucks will be parked. North of the home is open agricultural land, and there is a two pole overhead electrical line running through the southwest section of the parcel. As indicated the trucks and any equipment will be stored inside, and the nearest neighbors' home to the west is partially screened by the wooded area. The site is accessed by a driveway onto County Road 86 with the access situated between the overhead powerline easement and the east property line.

Since this is a seasonal use the applicants do not plan to add a bathroom to the accessory building, nor is one required for the seasonal use. Once the business is up and running the applicants will need to schedule a hazardous waste inspection with

Scott County Environmental Services to determine if any license is required. The applicants have also been in contact with the Scott County Building Official on building permit requirements and will need to obtain all required permits.

Township Recommendation:

The New Market Town Board discussed this item at their May 5, 2020 township meeting and will be provided this staff report. The township recommendation will be provided at the public hearing.

Staff Recommendation:

Subject to the conditions of approval, the proposed Interim Use Permit conforms to the zoning ordinance; therefore, staff recommends approval of the Interim Use Permit based on the eight criteria for approval listed below:

Conditions of Approval:

1. The Interim Use Permit (IUP) is issued to Chris Hilfer and Julie Kacon to operate a home-extended mudjacking business. If the property is sold or the business operations cease for 1 year, the IUP shall terminate.
2. The applicants are to file with the Scott County Zoning Administration in January of each year a statement indicating that they are in compliance with the conditions of the Interim Use Permit (IUP).
3. This IUP shall be annually reviewed by the Township at a time and in a manner as prescribed by the New Market Township Board.
4. The applicant shall pay an annual inspection fee for the IUP, if and when the County adopts an inspection fee ordinance.
5. The business shall be run according to the applicants' business narrative and shall comply with all County Zoning Ordinance regulations for home businesses.
6. Any signage shall comply with the Scott County Sign Ordinance and sign regulations for home-extended businesses.
7. There shall be no more than one non-resident employee working on site; seasonal employees shall be allowed to pick up work vehicles and equipment for off premise work per the business narrative.
8. The business shall be limited to three (3) business associated vehicles (truck & trailer combinations). No overnight outside storage of vehicles, equipment, or supplies is allowed.
9. The applicant shall schedule inspections and obtain a Hazardous Waste License as required from Scott County Environmental Services Department.
10. Any floor drains or shop sinks that would have grease/oil/cleaners, etc. must drain to a holding tank.

11. The structure utilized for the business shall meet the requirements of the Scott County Building Official and the State Building Code prior to locating the home extended business on the property.

Criteria for Approval (Chapter 2-6-1):

1. *The use will not create a burden on public facilities and utilities, which serve or are proposed to serve the area.*

The proposed use will not utilize public facilities or utilities, other than the County road, and this use will be limited to personal and business trips.

2. *The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.*

The pole building will be similar to other accessory buildings on adjacent parcels and will be mostly screened from the nearest neighbor to the west by existing wooded areas. The use is allowed on parcels 5 acres or larger in the UER zoning district, and the adjacent land is not further sub-dividable until municipal sewer and water services are available.

3. *If improvements are made, they shall be so designated and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.*

The structure is designed of materials that will not be unsightly in appearance. The building is similar to accessory buildings located on adjacent properties and on 10 acre parcels in the area.

4. *Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide on-site parking.*

The property has a single driveway access to County Road 86 (280th Street East). The nature of the business does not generate customer parking since the service work is done off-site; employee parking will be on the existing gravel driveway area.

5. *Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.*

No bathroom or other utilities are proposed for the accessory building. The home has a compliant septic and an individual well. The seasonal use is allowed to use temporary restroom facilities. Erosion control will be reviewed during building construction after a permit is issued.

6. *All buildings/structures must meet the intent of the State Building Code and/or fire codes.*

Proposed improvements and any future improvements shall require building permits in compliance with applicable Minnesota State Building Codes.

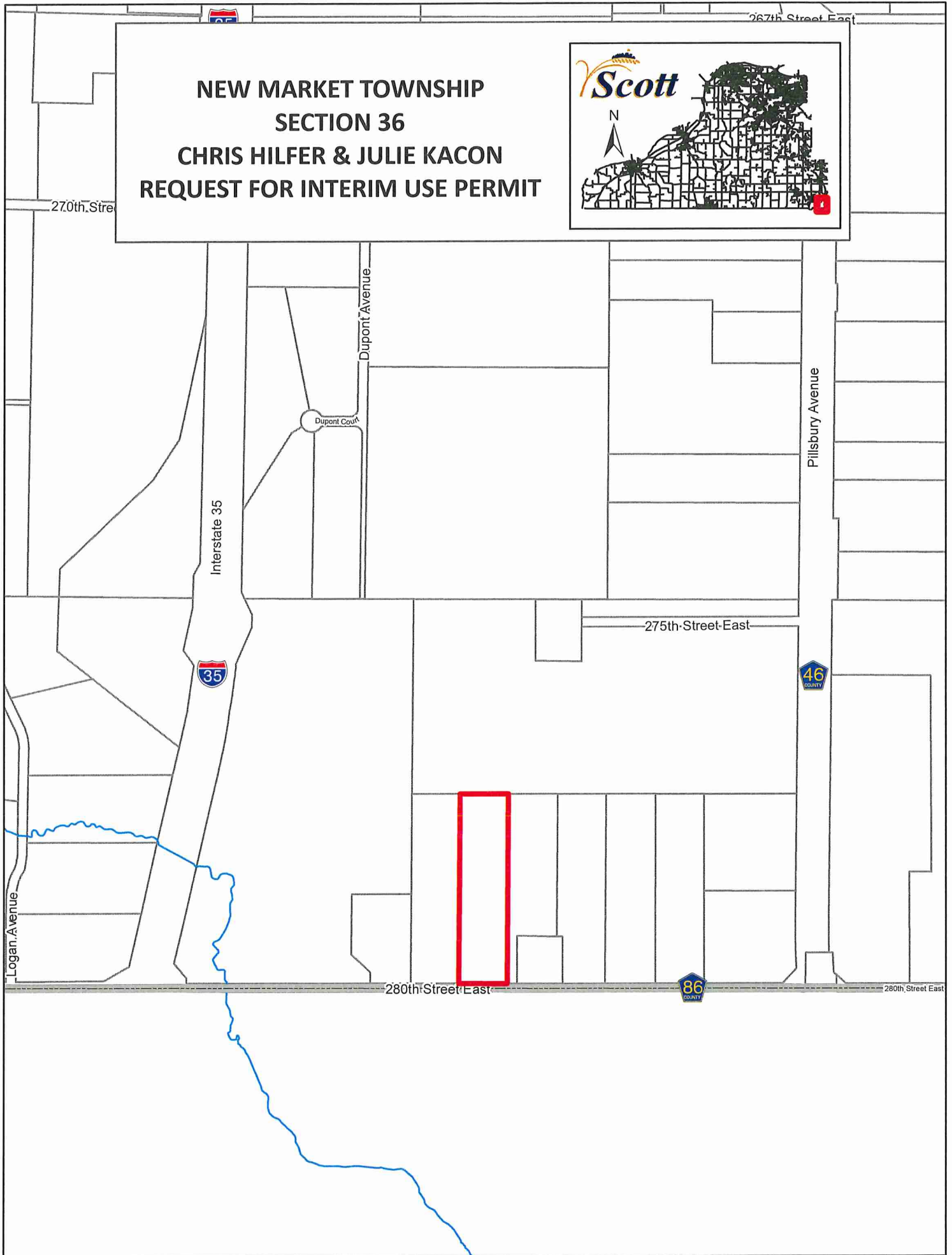
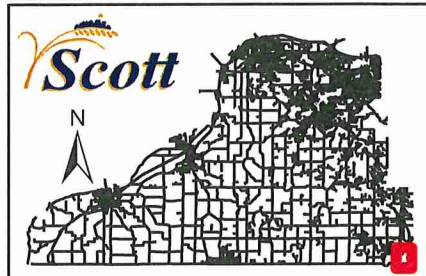
Planning Advisory Commission/Township Alternatives:

1. Approve the request as recommended by Planning Staff with the specified conditions.
2. Approve the request as recommended by the Planning Staff with amendments to the conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

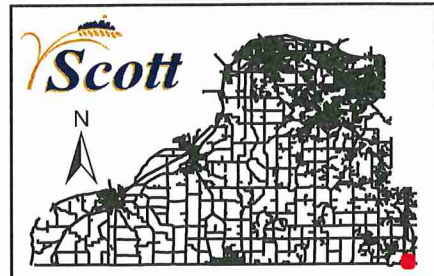
Suggested Motion for Planning Commission or Township Board:

Based on the criteria for approval listed in the staff report, I recommend approval of the home-extended business Interim Use Permit for Chris Hilfer and Julie Kacon to operate an mudjacking business.

**NEW MARKET TOWNSHIP
SECTION 36
CHRIS HILFER & JULIE KACON
REQUEST FOR INTERIM USE PERMIT**



**NEW MARKET TOWNSHIP
SECTION 36
CHRIS HILFER & JULIE KACON
REQUEST FOR INTERIM USE PERMIT**



280th Street East



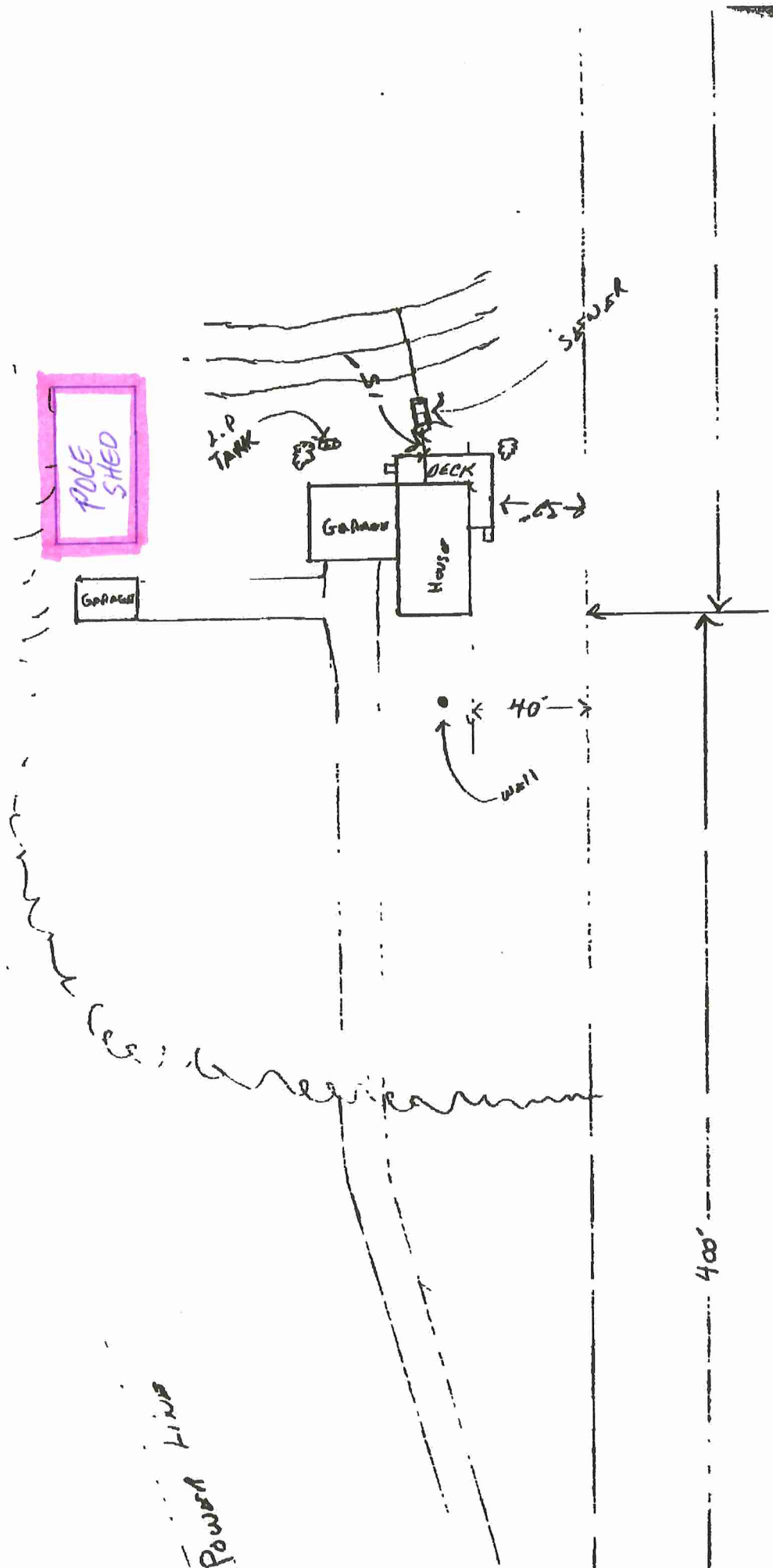
Northstar Mudjacking & More
14109 Burnley Way
Rosemount, MN 55068
Office: 651.405.6717, Cell: 952.564.1428
chris.hilfer@northstar-mudjacking.net
www.northstarmudjacking.net

Northstar is a Mudjacking Company. We raise and level concrete, as well as remove asphalt and concrete sidewalks/driveways.

- We are a seasonal business, mid-April (once the frost is out of the ground) until the first frost of the season.
- The Mudjacking truck will leave the shop daily Monday through Friday. The dump truck will run when we have concrete and asphalt removal jobs, anywhere from 3 to 5 days a week, Monday through Friday.
- We have 2 seasonal employees. They normally start at 7 and are done between 3 and 4.
- All our equipment will be stored inside the proposed pole shed; nothing will be stored outside.

We attended a Zoom meeting with the New Market Township on May 5th. We talked about our plans for the home business, who we are and did receive approval from the board which includes Doug Quast to move forward with the home business and being able to build a pole shed on the property at 11400 280th St East, Webster MN 55088.

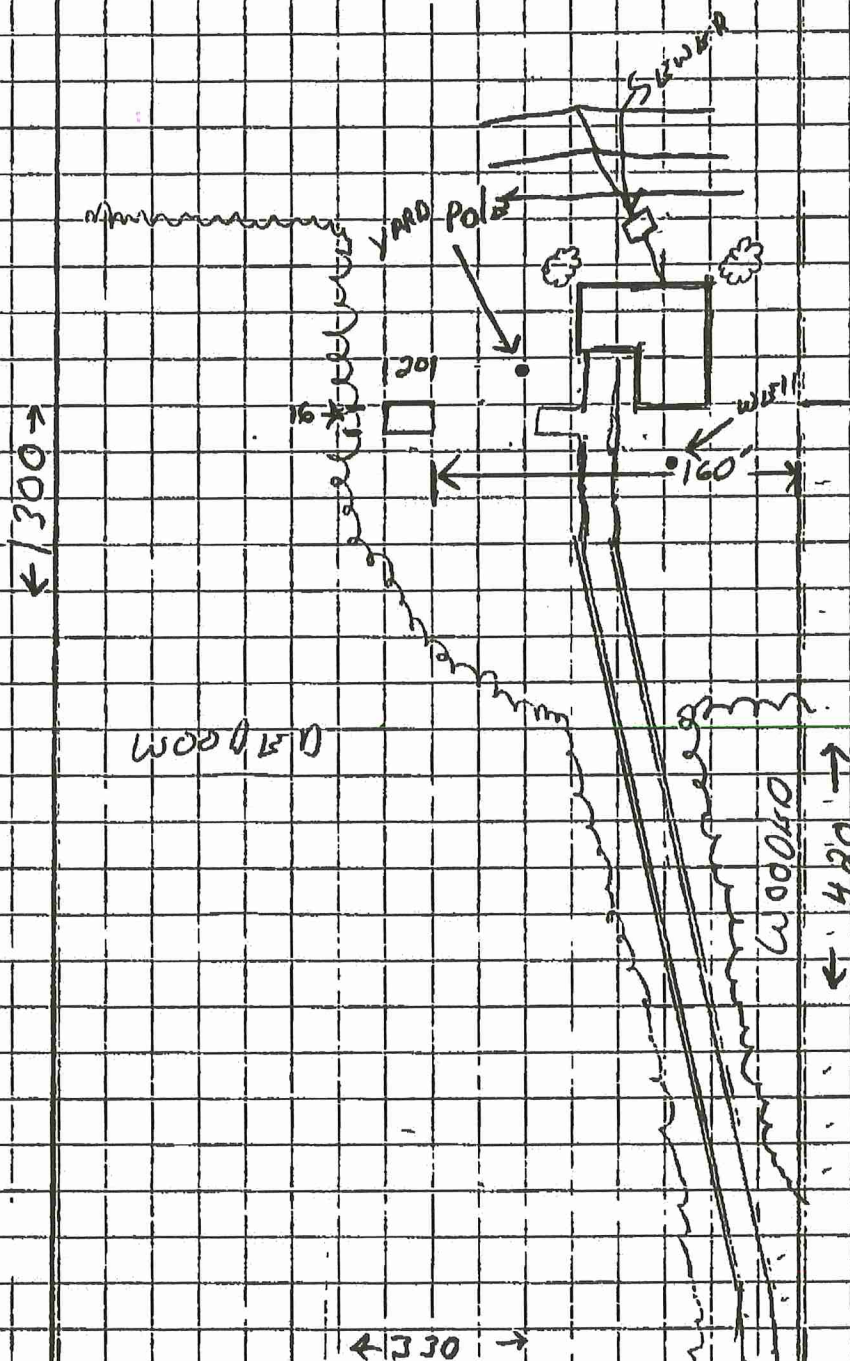
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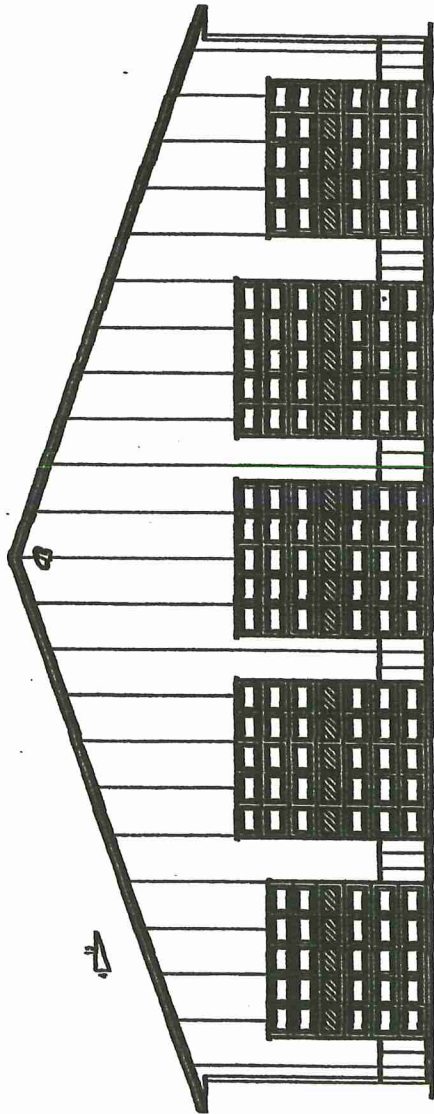
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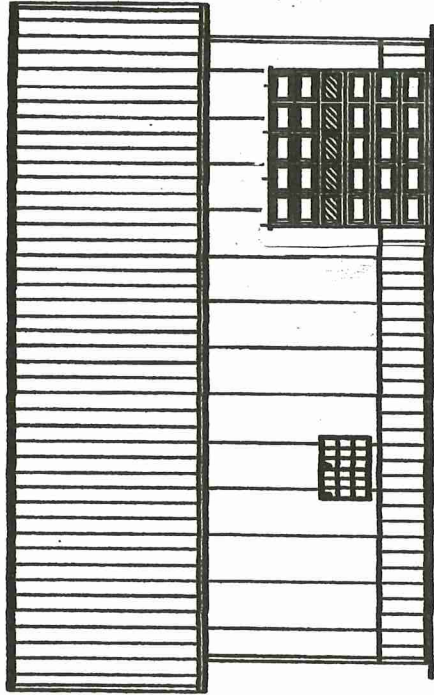


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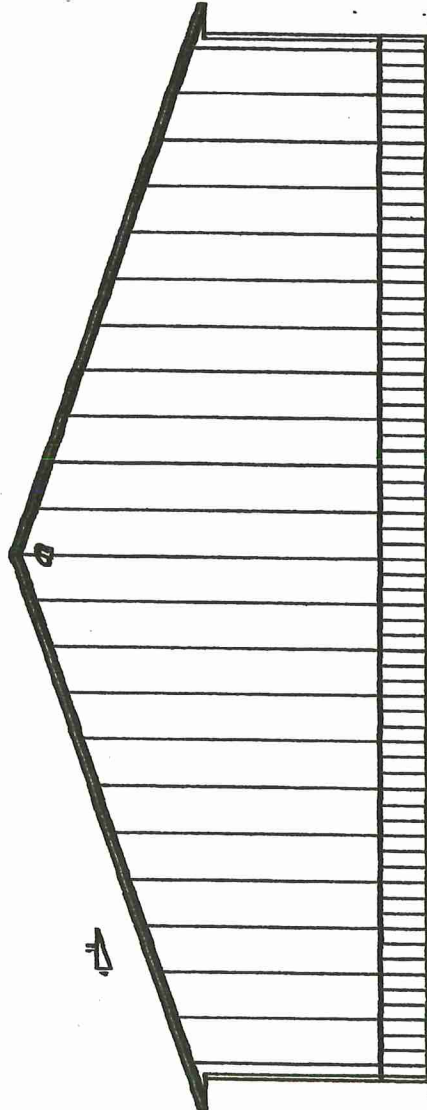




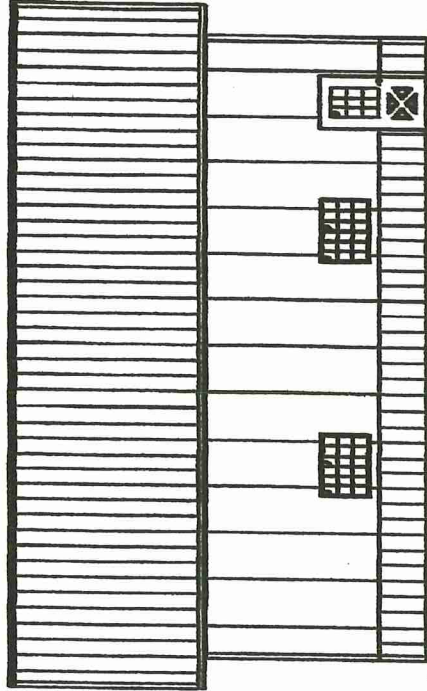
A2 ENDWALL 1 ELEVATION




B2 SIDEWALL 1 ELEVATION



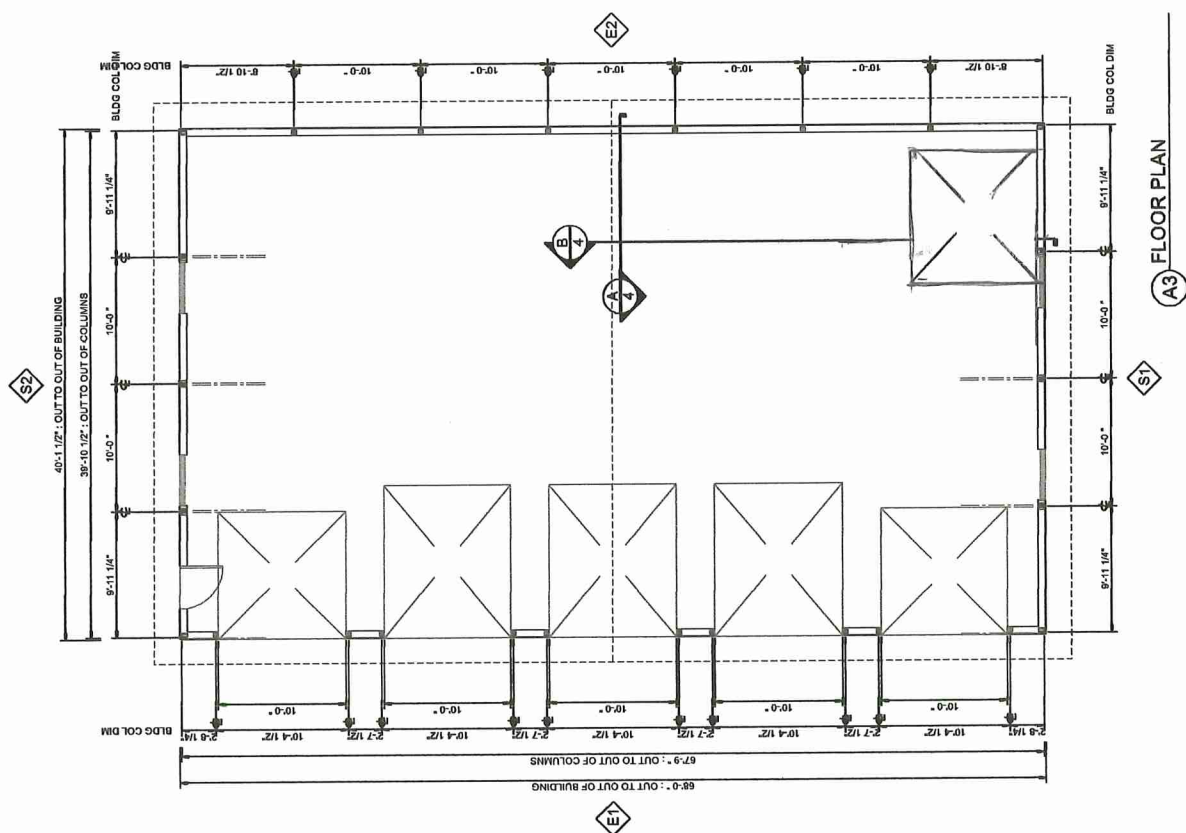
C2 ENDWALL 2 ELEVATION



D2 SIDEWALL 2 ELEVATION

DEALER INFO. Jennifer Wight 25434 Cedar Lane Now Prague, MN 56071	CUSTOMER INFO. Julie Kacon 11400 E 280th St Webster, MN 56089	BUILDING DESCRIPTION 98'-0" x 40'-1" x 14'-0" Uni-Frame Embedded QP041620	Customer Approval _____ (initials) DATE: _____	Bldg Direction  (Mark North)	PROJ: 060A-16746-00-00 PROPOSAL DRAWINGS ONLY Not Intended for Construction Purposes The information presented in this drawing is based on a preliminary design and is subject to change. The final design is subject to local building codes.
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RESTER
BUILDINGS



DEALER INFO.
Jennifer Wight
25434 Cedar Lane
New Prague, MN

CUSTOMER INFO.

Julie Kacon
11400 E 280th St
Webster, MN 55088

BUILDING DESCRIPTION
68'-0" x 40'-1" x 14'-0" Uni-Frame Embedded QP041620

Customer Approval

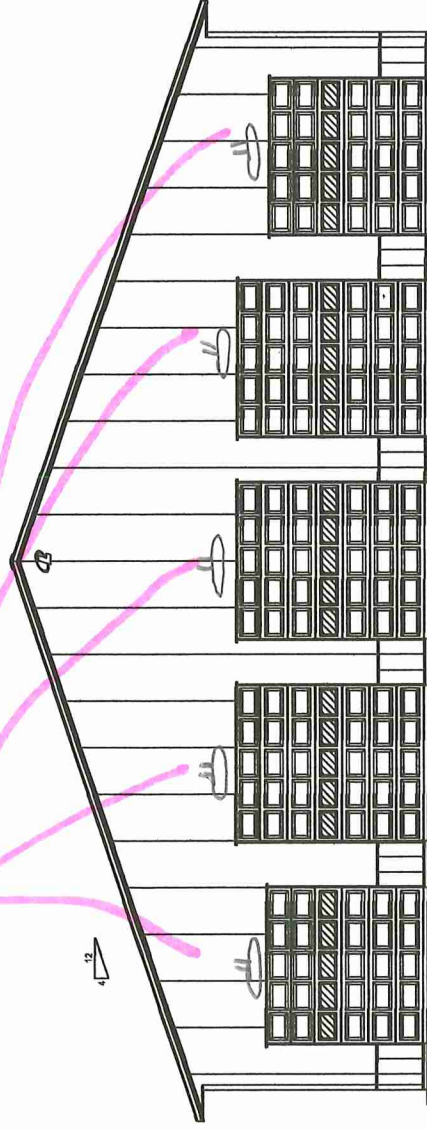
Bldg Direction

PROJ: 060A-15745-00-00
PROPOSAL DRAWINGS ONLY
 Not Intended for Construction Purposes

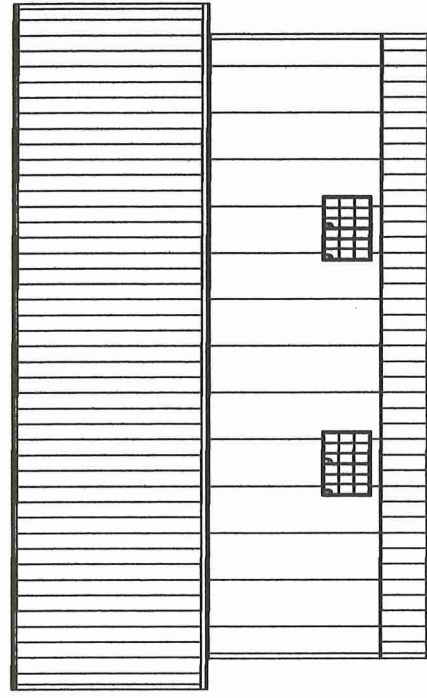
The information presented in this drawing is based on a preliminary design using the input provided. The final design is subject to Lester Engineering review.

* NOT TO SCALE *

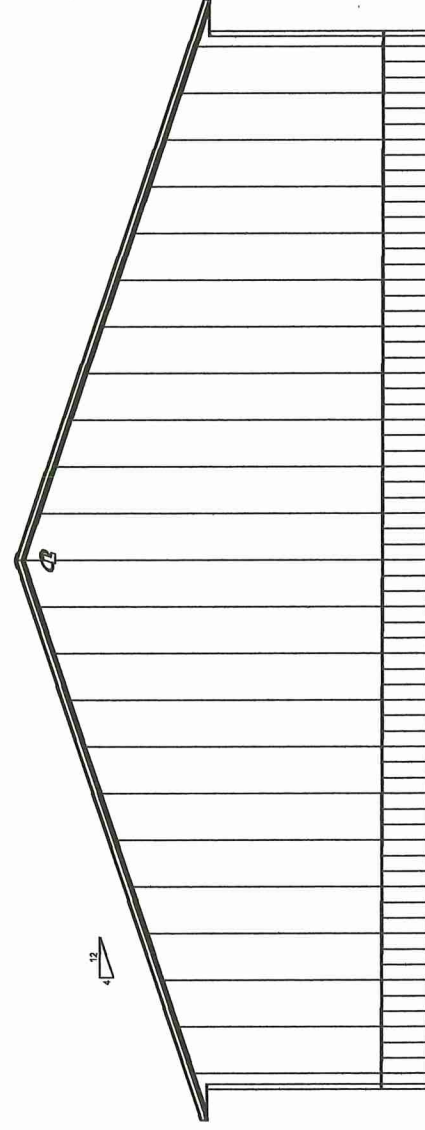
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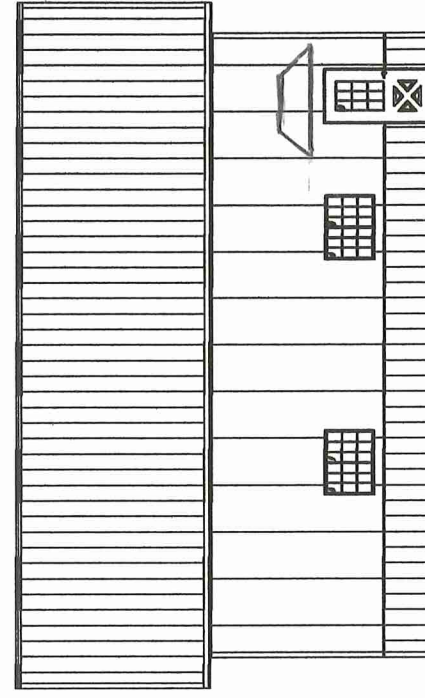
(A2) ENDWALL 1 ELEVATION





(B2) SIDEWALL 1 ELEVATION



(C2) ENDWALL 2 ELEVATION



(D2) SIDEWALL 2 ELEVATION

	DEALER INFO. Jennifer Wight 25434 Cedar Lane New Prague, MN 56071	CUSTOMER INFO. Julie Kacon 11400 E 280th St Webster, MN 55088	BUILDING DESCRIPTION 68'-0" x 40'-1" x 14'-0" Uni-Frame Embedded QP041620	Customer Approval _____ (Initials) DATE: _____	Bldg Direction  (Mark North)	PROJ: 060A-15745-00-00 PROPOSAL DRAWINGS ONLY Not Intended for Construction Purposes The information presented in this drawing is based on a preliminary design using the input provided. The final design is subject to Lester Engineering review. * NOT TO SCALE *
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STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER GC114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952)496-8653 • Fax (952)496-8496 • Web: scottcountymn.gov

Home Extended Business IUP – Advanced Exhaust Solutions

Request:

Home Extended Business Interim Use Permit (IUP) for Marko Popovich to operate Advanced Exhaust Solutions, a business that designs and manufactures exhaust components.

Marty Schmitz, Zoning Administrator, is the project manager and is available for questions at 952-496-8349.

General Information:

Applicant:	Marko Popovich	Site Location:	5745 Meadow Lane
Property Owner:	Marko & Kelly Popovich	Township:	Section 12, Cedar lake
Public Hearing Date:	July 13, 2020	Action Deadline:	September 28, 2020 (120 Day)

Zoning/Comprehensive Plan Information:

Zoning District:	Rural Residential Cluster Reserve, RR-1C	Comprehensive Land Use Plan:	Rural Residential Reserve Area
Police District:	Scott County Sheriff	School District:	Jordan (717)
Watershed District:	Scott WMO	Fire District:	Elko New Market
Ordinance Sections:	Chapters 2, 8, & 41	Ambulance District:	North Ambulance

Report Attachments:

1. Site Location Map
2. Aerial Photo
3. Applicant's Narrative(s)
4. Site Plan(s)

Request-	Interim Use Permit (IUP) for Marko Popovich to operate Advanced Exhaust Solutions a business that designs and manufactures exhaust components.
Comprehensive Plan-	The proposal is consistent with the goals and policies of the Rural Residential Reserve Area identified in the 2040 Comprehensive Plan. It is also consistent with the Plan's economic development goals of supporting home based small businesses.
Adjacent Land Use/Zoning-	<u>North</u> – 60-acre agricultural parcel, zoned RR-1 <u>South</u> –80-acre Agricultural parcel, Zoned RR-1 <u>East</u> – 44-acre Residential parcel, Zoned RR-1 <u>West</u> – 2.5-11-acre residential parcels, zoned RR-1C
Existing Conditions-	The 43-acre parcel includes an existing home and numerous accessory buildings located in the southeast corner of the property. The property includes a mix of grasslands, woodlands, wetlands and pastureland.
Ordinance Requirements-	<u>Lot Size</u> – 10 acres for home extended business. <u>Structure Setbacks:</u> Front Yard: 100' from the centerline of a township road or 67' from the Township road right-of-way, whichever is greater Side Yard: 30 feet Rear Yard: 60 feet
Proposed Development-	<u>Lot Size</u> – 43 acres <u>Setbacks</u> – Front Yard: 1100 feet from centerline Side Yard: 370 and 830 feet Rear Yard: 340 feet
Existing Roads-	The property has frontage and driveway access to Meadow Lane, a paved Cedar Lake Township road.
Road Improvements-	No road Improvements have been proposed. The site has a single driveway access to the Township road.

An aerial photograph of a rural landscape, likely in a coastal or marshy region. The map is overlaid with red lines indicating property boundaries. Several parcels are labeled with numbers: 1010010, 1010011, 1010012, 1010013, 1010014, 1010015, 1010016, 1010017, 1010018, 1010019, 1010020, 1010021, 1010022, 1010023, 1010024, 1010025, 1010026, 1010027, 1010028, 1010029, 1010030, 1010031, 1010032, 1010033, 1010034, 1010035, 1010036, 1010037, 1010038, 1010039, 1010040, 1010041, 1010042, 1010043, 1010044, 1010045, 1010046, 1010047, 1010048, 1010049, 1010050, 1010051, 1010052, 1010053, 1010054, 1010055, 1010056, 1010057, 1010058, 1010059, 1010060, 1010061, 1010062, 1010063, 1010064, 1010065, 1010066, 1010067, 1010068, 1010069, 1010070, 1010071, 1010072, 1010073, 1010074, 1010075, 1010076, 1010077, 1010078, 1010079, 1010080, 1010081, 1010082, 1010083, 1010084, 1010085, 1010086, 1010087, 1010088, 1010089, 1010090, 1010091, 1010092, 1010093, 1010094, 1010095, 1010096, 1010097, 1010098, 1010099, 1010100. The terrain is a mix of brown, dry-looking land and green, vegetated areas. There are several small bodies of water or ponds scattered throughout the landscape. A few buildings, including houses and barns, are visible. The overall impression is of a rural, possibly agricultural or residential, area.

Marko Popovich is requesting an Interim Use Permit (IUP) for a home extended business to operate Advanced Exhaust Solutions, a business that designs and manufactures exhaust components from an existing accessory building located at 5745 Meadow Lane. The property is located in Section 12, Cedar Lake Township and is zoned Rural Residential Reserve Cluster, RR-1C, which allows home extended business's through an Interim Use Permit (IUP) on parcels 10 acres or larger. Home extended business standards include limiting numbers of employees, business vehicles, storage of materials within an enclosed structure and screening from public right-of-way and adjacent residential uses.

County Ordinance regulations allow 1 non-resident employee working on site and up to 3 business associated vehicles. The applicant and one full time production staff would be employed at this location. The applicant has indicated that the business will not generate large amounts of business traffic since the majority of the customer business is conducted over the phone, via electronic mail, or other electronic means. He also indicates that traffic generated would include 1-2 inbound material deliveries and 1-2 out

bound shipments per day. Hours of operation are proposed to be between 7:00 am and 5:00 pm with shipping and receiving hours between 9:00 am and 3:00 pm. All equipment, products and materials will be stored inside.

The 43-acre site includes a mix of grasslands, woodlands, wetlands and pastureland. As indicated all equipment and materials will be stored inside. The existing vegetation screens the building from the nearest residence which is over 1,100' away. The site is accessed by a paved driveway onto Meadow Lane a paved Cedar Lake Township road that connects to County Road 87 (Revere Avenue) a gravel county roadway.

Because the building was used by the previous owner for a home extended business there is a bathroom located within the building. Scott County Environmental Health has reviewed the septic system and determined that it is sized adequately to support the home and the business. Once the business is up and running the applicant will need to schedule a hazardous waste inspection with Scott County Environmental Services to determine if any license is required.

The Scott County Building Official has reviewed the plans on file for the existing structure and is requesting a permit for the new use and change in occupancy of the building. The applicant will need to obtain all required permits and complete all necessary modifications/repairs to the building prior to the business occupying the structure. Receiving a building permit and making all necessary modifications to the building to bring it into compliance with the building code has been included as a condition of the IUP.

Township Recommendation:

The applicant contacted the Cedar Lake Township Board Chair, Robert Puncoschar who indicated that the Township will not make a recommendation on the request as the Township is not the zoning authority. This is consistent with how Cedar Lake Township has handled similar request.

Staff Recommendation:

Subject to the conditions of approval, the proposed Interim Use Permit conforms to the zoning ordinance; therefore, staff recommends approval of the Interim Use Permit based on the eight criteria for approval and conditions listed below:

Conditions of Approval:

1. The Interim Use Permit (IUP) is issued to Marko Popovich to operate Advanced Exhaust Solutions as a home-extended business. If the property is sold or the business operations cease for 1 year, the IUP shall terminate.
2. The applicant shall file with the Scott County Zoning Administration in January of each year a statement indicating that he is in compliance with the conditions of the Interim Use Permit (IUP).
3. This IUP shall be annually reviewed by the Township at a time and in a manner as prescribed by the Cedar Lake Township Board.
4. The applicant shall pay an annual inspection fee for the IUP, if and when the County adopts an inspection fee ordinance.

5. The business shall be run according to the applicants' narratives and shall comply with all County Zoning Ordinance regulations for home businesses.
6. Any signage shall comply with the Scott County Sign Ordinance and sign regulations for home-extended businesses.
7. There shall be no more than one non-resident employee working on site.
8. The business shall be limited to three (3) business associated vehicles (truck & trailer combinations). No overnight outside storage of vehicles, equipment, products, or materials is allowed.
9. The applicant shall schedule inspections and obtain a Hazardous Waste License as required from Scott County Environmental Services Department.
10. Any floor drains or shop sinks that would have grease/oil/cleaners, etc. must drain to a holding tank.
11. The structure utilized for the business shall meet the requirements of the Scott County Building Official and the State Building Code prior to locating the home extended business on the property. The applicant will need to obtain all required permits and complete all necessary modifications/repairs to the building prior to the business occupying the structure.
12. All deliveries and shipments shall be done by vehicles that conform to the township and county road weight limitations.

Criteria for Approval (Chapter 2-6-1):

1. *The use will not create a burden on public facilities and utilities, which serve or are proposed to serve the area.*

The proposed use will not utilize public facilities or utilities, other than the Township and County road. All deliveries and shipments shall be done by vehicles that conform to the township and county road weight limitations.
2. *The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.*

The pole building is existing and is similar to other accessory buildings on adjacent parcels and will be screened from the neighboring residences that are over 1,100' away. The use is allowed on parcels 10 acres or larger in the RR-1C zoning district.
3. *If improvements are made, they shall be so designated and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.*

The structure is designed of materials that are not unsightly in appearance. The building is similar to accessory buildings located on adjacent properties in the area.

4. *Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide on-site parking.*

The site is accessed by a paved driveway onto Meadow Lane, a paved Cedar Lake Township road that connects to County Road 87 (Revere Avenue) a gravel county roadway. The nature of the business does not generate customer parking and there is ample area for employee parking on the paved areas around the building.

5. *Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.*

The building was used by the previous owner for a home extended business so there is a bathroom located within the building. Scott County Environmental Health has reviewed the septic system and determined that it is sized adequately to support the home and the business.

6. *All buildings/structures must meet the intent of the State Building Code and/or fire codes.*

Proposed improvements and any future improvements shall require building permits in compliance with applicable Minnesota State Building Codes. A permit is required for the new use and change in occupancy of the building. The applicant will need to obtain all required permits and complete all necessary modifications/repairs to the building prior to the business occupying the structure. Receiving a building permit and making all necessary modifications to the building to bring it into compliance with the building code has been included as a condition of the IUP.

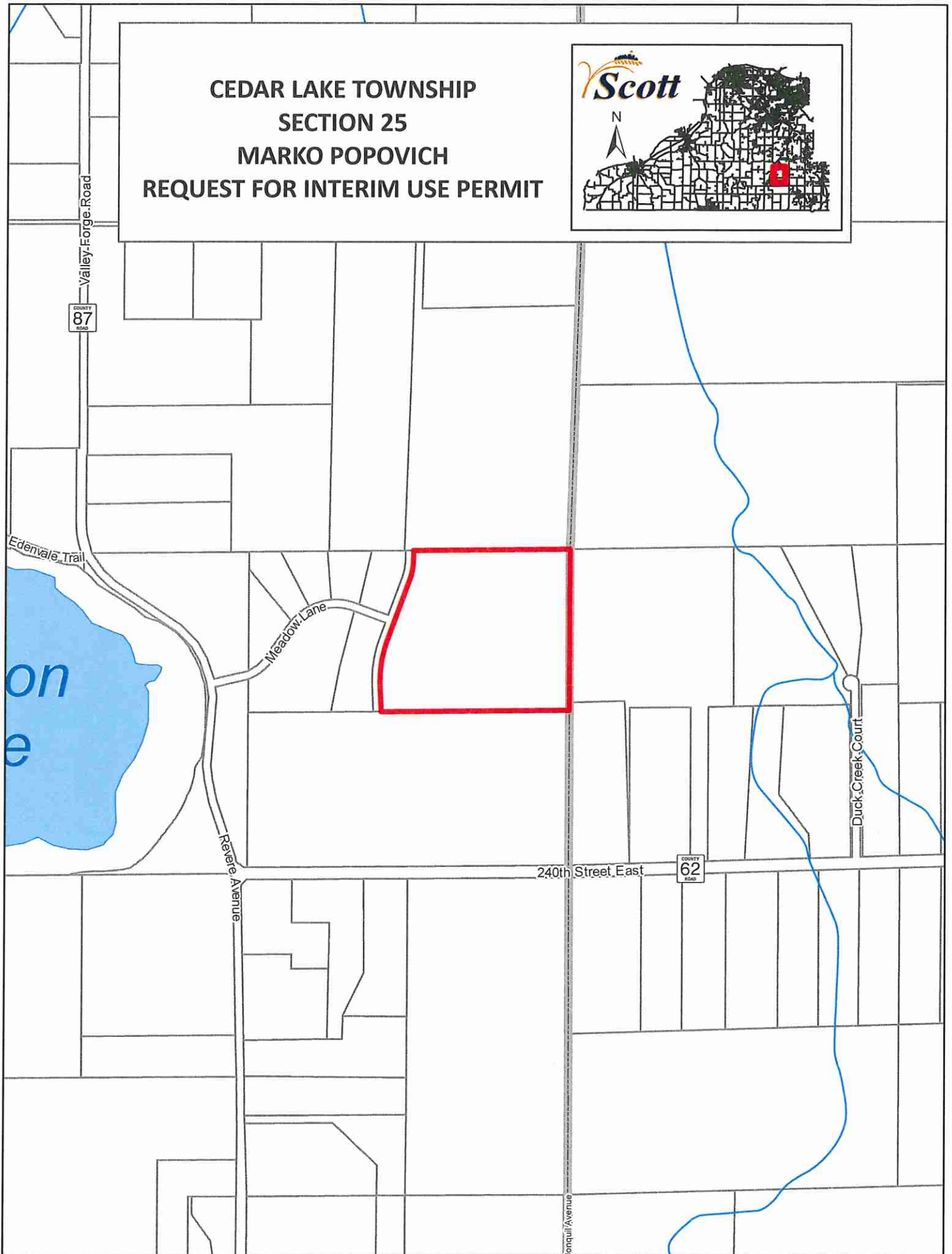
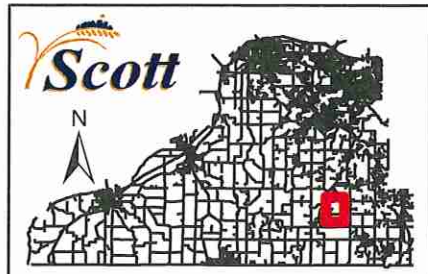
Planning Advisory Commission/Township Alternatives:

1. Approve the request as recommended by Planning Staff with the specified conditions.
2. Approve the request as recommended by the Planning Staff with amendments to the conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

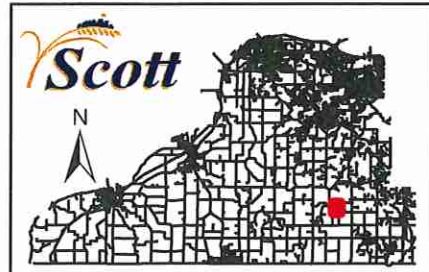
Suggested Motion for Planning Commission or Township Board:

Based on the criteria for approval and conditions listed in the staff report, I recommend approval of the home extended business Interim Use Permit for Marko Popovich to operate Advanced Exhaust Solutions.

**CEDAR LAKE TOWNSHIP
SECTION 25
MARKO POPOVICH
REQUEST FOR INTERIM USE PERMIT**



**CEDAR LAKE TOWNSHIP
SECTION 25
MARKO POPOVICH
REQUEST FOR INTERIM USE PERMIT**



About Advanced Exhaust Solutions

- AES was started in November 2015
- AES has been utilizing contract manufacturers to build and ship the products we design and sell.
- We utilize contract manufacturers in MI and MN.



About Advanced Exhaust Solutions

- Advanced Exhaust Solutions is a premier supplier of exhaust gas silencers, piping and after-treatment components. From nuts, bolts, and gaskets to fully integrated emissions compliant silencing solutions, and everything in-between, we have you covered. From small to large, we handle your solution with an eye for detail. Utilizing the latest in engineering and design tools, we are able produce product to a higher standard. At Advanced Exhaust Solutions we are heavily invested in being able to provide answers to your structural, fluid flow and acoustic analysis questions. This allows us to engineer your product to work right the first time, every time.

About Advanced Exhaust Solutions

- AES employs between 7-20 staff members via contract manufacturing.
- We currently employ two engineers and a designer that work in satellite offices in Tucson, AZ, San Jose, CA and Prior Lake, MN.

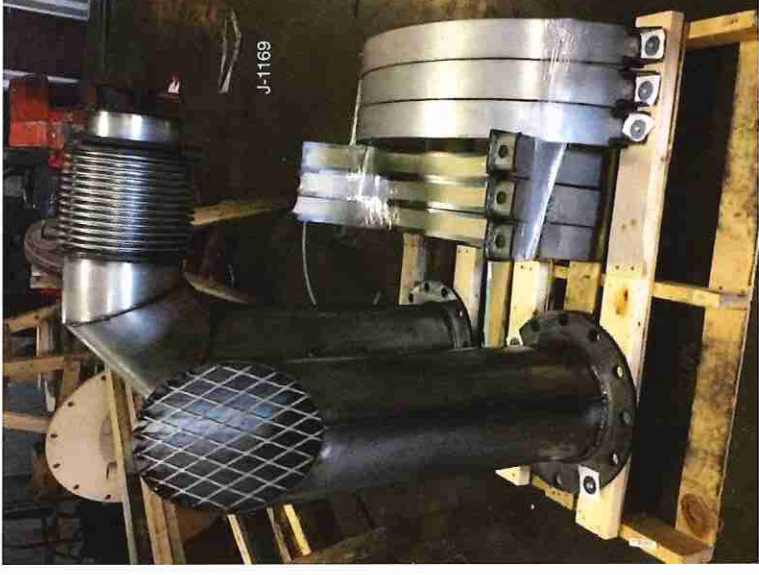


The Impact of Advanced Exhaust Solutions

- Traffic
 - Employee Traffic:
 - 1 dedicated shop employee 2-4 trips per day
 - Inbound Material (receiving)
 - 1-2 trips per day
 - Outbound Material (shipping)
 - 1-2 trips per day
 - Miscellaneous Traffic
 - 2 trips per day
- Shipping and receiving hours would be scheduled between 9 am and 3 pm
- Normal hours of operation would be between 7 am and 5 pm
- Storage Needs
 - All equipment and materials will be stored indoors, anything outside would only be temporary and is not visible from outside the property
- Noise
 - All work will take place indoors
- Odors
 - Any painting would take place in a paint booth with filters. Odors should not be noticeable.

The Future for Advanced Exhaust Solutions

- Due to our steady growth over the past few years AES desires to have in house manufacturing capacity.
- This facility would allow us to:
 - Conduct time and motion studies to determine product cycle times
 - Trial new manufacturing processes
 - Build and ship first articles, one-off components and small production runs
- 1 full time production staff member



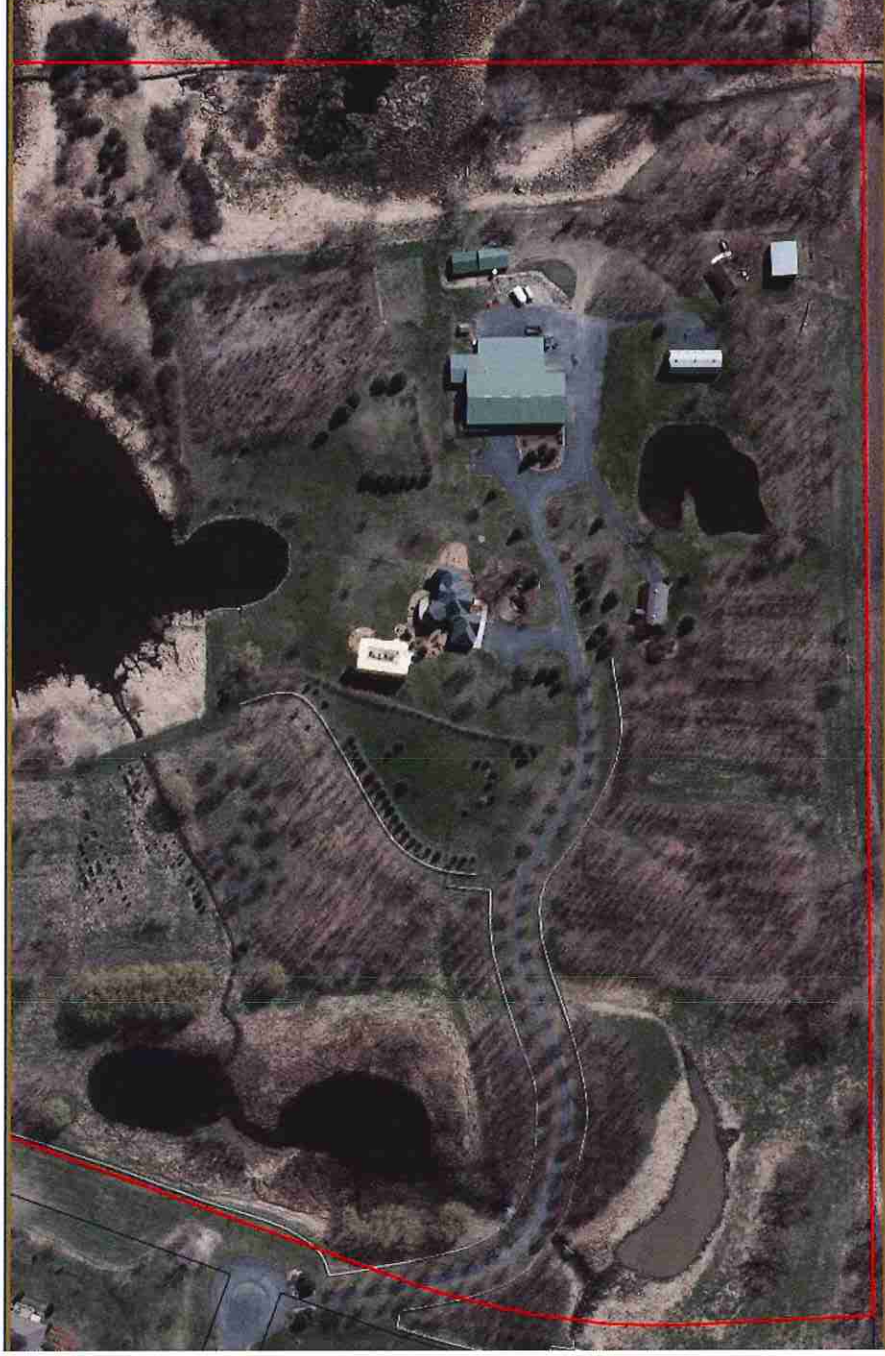
Local Government Requisitions

- Per the Cedar Lake Township board chair Robert Puncochar, Cedar Lake Township will not make a recommendation for or against granting us a conditional use permit.

Site Plan: Surrounding Area View



Site Plan: Property View



Site Plan: Building Specific View





SCOTT COUNTY PLANNING DEPARTMENT

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8475 • Fax (952) 496-8496 • Web www.co.scott.mn.us

Memo

Date: June 29, 2020

To: Planning Advisory Commission

From: Brad Davis, Planning Manager

Subject: Public Hearing - 2020 Zoning & Subdivision Ordinance

A public hearing on the Scott County Zoning & Subdivision Ordinances will be held at our July 13, 2020 meeting. The attached PowerPoint slides will be presented to you prior to opening up the hearing to the public – either in attendance in the meeting room or monitoring the hearing remotely. This presentation is intended to provide background on the years-long process to update the county's ordinances. It covers the key revisions being recommended. The final slide summarizing the comments received (to date) will be updated over the next few weeks as comments from town boards and residents roll into our office. Staff will share all written comments on the ordinances prior to or at the public hearing.

Also included with this cover letter is a sample notice letter mailed to 78 property owners whose property is proposed for a zoning change. This sample letter is provided to you for awareness only so you see how landowners were notified.

Staff looks forward to a good discussion prior to getting your recommendation on moving this ordinance revisions toward adoption by the County Board. If you have any questions prior to the meeting, please contact me at (952) 496-8654 or bdavis@co.scott.mn.us.

Thank you.

Comprehensive Revisions to County Zoning and Subdivision Ordinances

Planning Advisory Commission
Public Hearing
July 13, 2020



Presentation Outline:

Background/Purpose

Process

Key Revisions

Comments

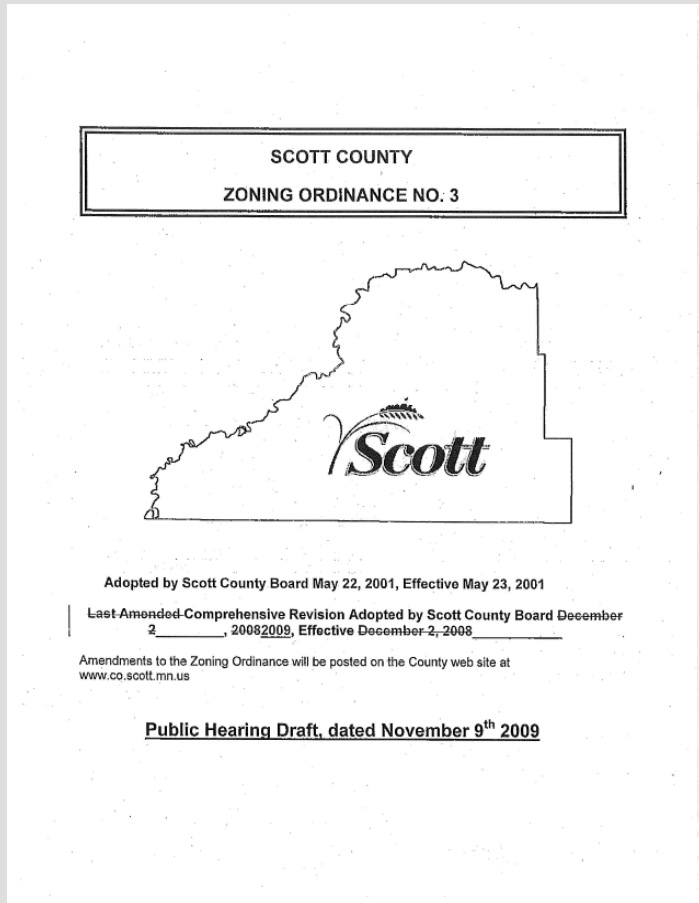
Purpose of Zoning Ordinance

Promotes public health, safety and welfare

Provides for orderly development of land in the unincorporated area (10 Townships)

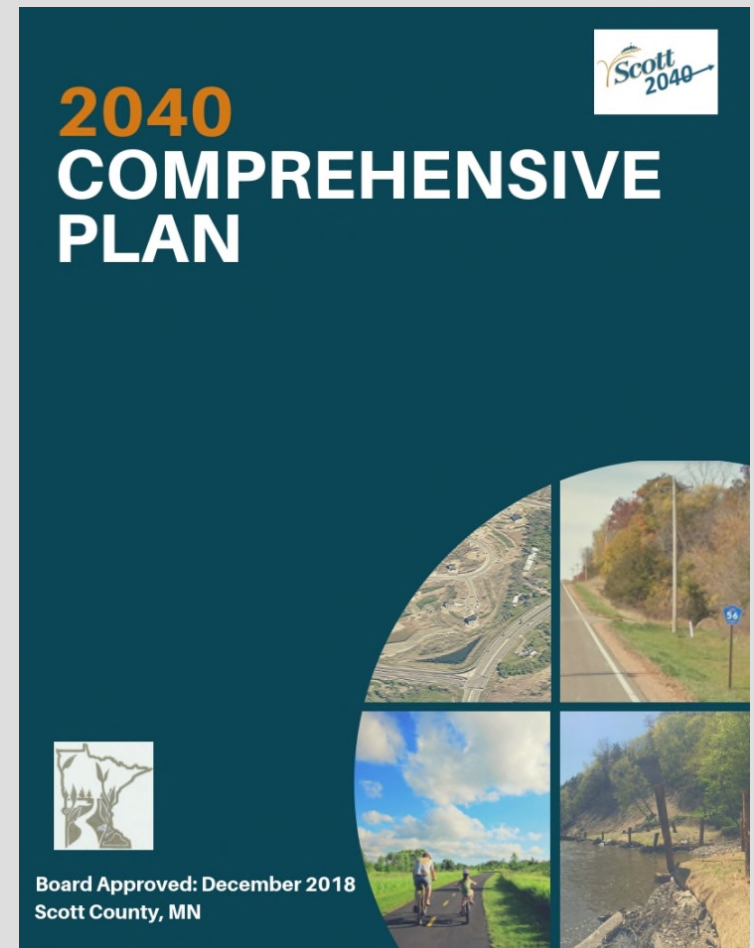
Provides for the administration of the Ordinance (Staff, Townships, Board of Adjustment, Planning Commission, County Board)

Enacted pursuant to Minn. Stats. 394.21, 394.37 and 375.40



Comprehensive Revisions

The Metropolitan Council requires cities, townships and counties to update official controls (i.e. ordinances and regulations) to be consistent with long-range comprehensive plan



Process:

- ❑ Planning staff research local, state and national ordinance models for best practices and approaches
- ❑ Monthly workshops with the Planning Commission and key stakeholders (mining)
- ❑ Quarterly workshops with Township Boards
- ❑ Two open houses on hamlet zoning district
- ❑ Notified Town Boards on April 13, 2020 to begin review
- ❑ Notified 78 landowners re: proposed zoning change
- ❑ Public Hearing: July 13, 2020
- ❑ Town Board and Planning Comm. recommendations
- ❑ Board Adoption (target): August 18, 2020

Key Revisions:

- ❑ Establishes four new zoning districts: rural business (RBR), heavy industrial (I-2), hamlet mixed use overlay (HMU) and closed landfill restricted (CLR)
- ❑ Requires deeper home setbacks from bluffs (from 30 to 50 feet)
- ❑ Allows a non-family caregiver to occupy an Accessory Dwelling Unit
- ❑ Sets new post-mining reclamation standards

Key Revisions:

- ❑ Clarifies site access requirements and turn lanes for development, in both zoning and subdivision ordinances
- ❑ Updates sign standards for commercial, industrial, and institutional uses
- ❑ Sets clearer standards for kennels, day parks, shooting ranges and recreational land uses
- ❑ Allows larger sheds and accessory buildings on rural lots

Four New Zoning Districts:

- ❑ Heavy Industrial (I-2)
- ❑ Closed Landfill Restricted (CLR)
- ❑ Rural Business Reserve (RBR)
- ❑ Hamlet Mixed Use (HMU)

Heavy Industrial (I-2)

- ❑ County had this type of zoning district in 1980s and 1990s
- ❑ 2040 Plan recommended splitting current zoning into “heavy” and “light”
- ❑ Heavy industrial uses tend to have greater impacts to surrounding properties: truck traffic, noise, dust, odors, vibration
- ❑ 1,405 acres to be rezoned to this new I-2 district



Closed Landfill Restricted (CLR)

- ❑ MPCA mandated this new zoning district for Louisville Landfill site (*Minn. Stat. 115B.412, subd. 9*)
- ❑ Permitted uses were established in state-approved Closed Landfill Master Plan (2013):
 - ❑ Landfill management
 - ❑ Natural areas management
 - ❑ Agricultural uses
 - ❑ Utilities/essential services
 - ❑ Community solar gardens



Rural Business Reserve Planning Designation

The purpose of this new land use category is to guide certain areas along major highway and interstate corridors for rural commercial or light industrial uses if the development can meet appropriate traffic, septic and storm water management performance standards.



Typical Uses:

- ☐ Contractor yards
- ☐ Lumber yards
- ☐ Landscape supply businesses
- ☐ Commercial trucking companies
- ☐ Indoor storage or rental uses
- ☐ Leased commercial buildings
- ☐ Light manufacturing uses
- ☐ Warehousing or wholesaling uses
- ☐ Home extended businesses

Corresponding Zoning: A new zoning district that reflects the recommended mix, scale and intensity of uses with appropriate traffic, septic and storm water management performance standards is needed to implement this plan category.



Attention to Infrastructure Elements:

- ☐ In many cases, properties in this district cannot directly access the highway or freeway and will require a new or an extension of an existing frontage road to access the proposed use
- ☐ Larger parcels in this district will require an internal township road system to serve multiple lots (with turn lanes at state or county highway intersections)
- ☐ Storm water management will need to be adequately addressed at time of platting
- ☐ Modest signage and exterior building standards

Next Steps:

2018 - Map "Rural Business Reserve" designation on 2040 Planned Land Use Map

2019 - Work with townships and property owners to develop new Rural Business Reserve zoning district to implement land use designation

2020 - Allow property owners to rezone and/or apply for a conditional use permit to develop uses in the Rural Business Reserve zoning district



The Scott County 2040 Comprehensive Plan recommends that the County Planning Department work with the Townships, property owners, and the Planning Commission to develop a new zoning district for these areas identified on the map.



Rural Business Reserve (RBR)

- ☐ 2040 Plan recommended re-zoning properties held very long-term (30+years) for city-sewered business development to instead allow to develop today on private septic and well.
- ☐ Local road and stormwater infrastructure needs to be in place at time of platting
- ☐ 746 acres will be rezoned to this new district
- ☐ Already have proposals

(HMU)

- ❑ Conditional Uses include:
 - ❑ brewpubs; gas stations or convenience stores, daycare, offices, restaurants, retail shops, small animal vet clinics, single family homes on existing substandard lots
- ❑ 500 acres will be included in this new overlay district

Mixed Use Hamlet Planning Designation

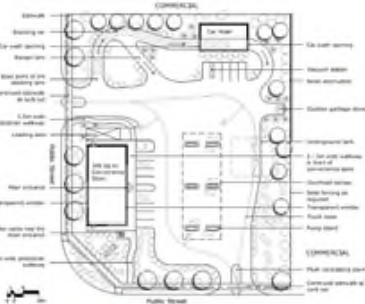
The purpose of this new planning category is to provide an opportunity for mixed use residential and commercial development in and around the historic hamlets of Scott County (Lydia, St Patrick, Marystown, Union Hill, Blakeley) when deemed appropriate.



Typical Uses:

- ☐ Churches
- ☐ Taverns
- ☐ Single family dwellings
- ☐ Schools or public buildings
- ☐ Small-scale neighborhood commercial uses such as convenience retail, gas stations, local service-oriented businesses and offices

Corresponding Zoning: A new zoning district or overlay zoning district that reflects the recommended mix, scale and intensity of uses with appropriate traffic, septic and storm water management performance standards is needed to implement this plan category.



Attention to Site Design Elements:

- ☐ Retention of existing vegetation and high quality landscaping treatment of buffer yards, street frontages, paved areas and building foundations

- ❑ **Parking to the side and rear** of buildings wherever possible, rather than all the parking in the front
- ❑ **High quality building materials** and colors that reflect the Township's desired rural image (such as pitched roofs, modest scale, white or earth tone colors, stonework used for foundation, canopies, awnings, trellises and windows, variation in building height and roof lines)
- ❑ **Modest signage** and limited exterior lighting

Next Steps:

2018 – Map “Hamlet/Town Center” designation
on 2040 Planned Land Use Map

2019 – Hold neighborhood meetings to discuss zoning and site design criteria in all hamlets designated as “Hamlet/Town Center.” Develop new Mixed Use Hamlet zoning district or overlay zoning district to implement land use designation

2020 - Allow property owners to rezone and/or apply for a conditional use permit to develop non-residential uses in the Mixed Use Hamlet zoning district



The Scott County 2040 Comprehensive Plan recommends that the County Planning Department work with the Townships, hamlet property owners, and the Planning Commission to develop a mixed use zoning district for these areas identified on the map.



Hamlet Mixed Use (HMU)

☐ Open Houses

- ☐ February 24 – Spring Lake Town Hall
- ☐ March 12 – U4ic Brewery in Blakeley
- ☐ 44 signed-in attendees

☐ Feedback

- ☐ Support list of uses? 16 yes; 5 no
- ☐ Support lot standards? 11 yes; 8 no
- ☐ Support site design standards? 15 yes; 4 no
- ☐ Support proposed zoning boundary? 14 yes, 5 no

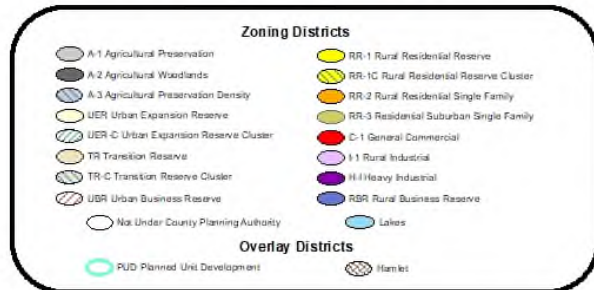
☐ Modifications

- ☐ Restrict size of gas station/convenience store
- ☐ Adjust proposed zoning boundaries

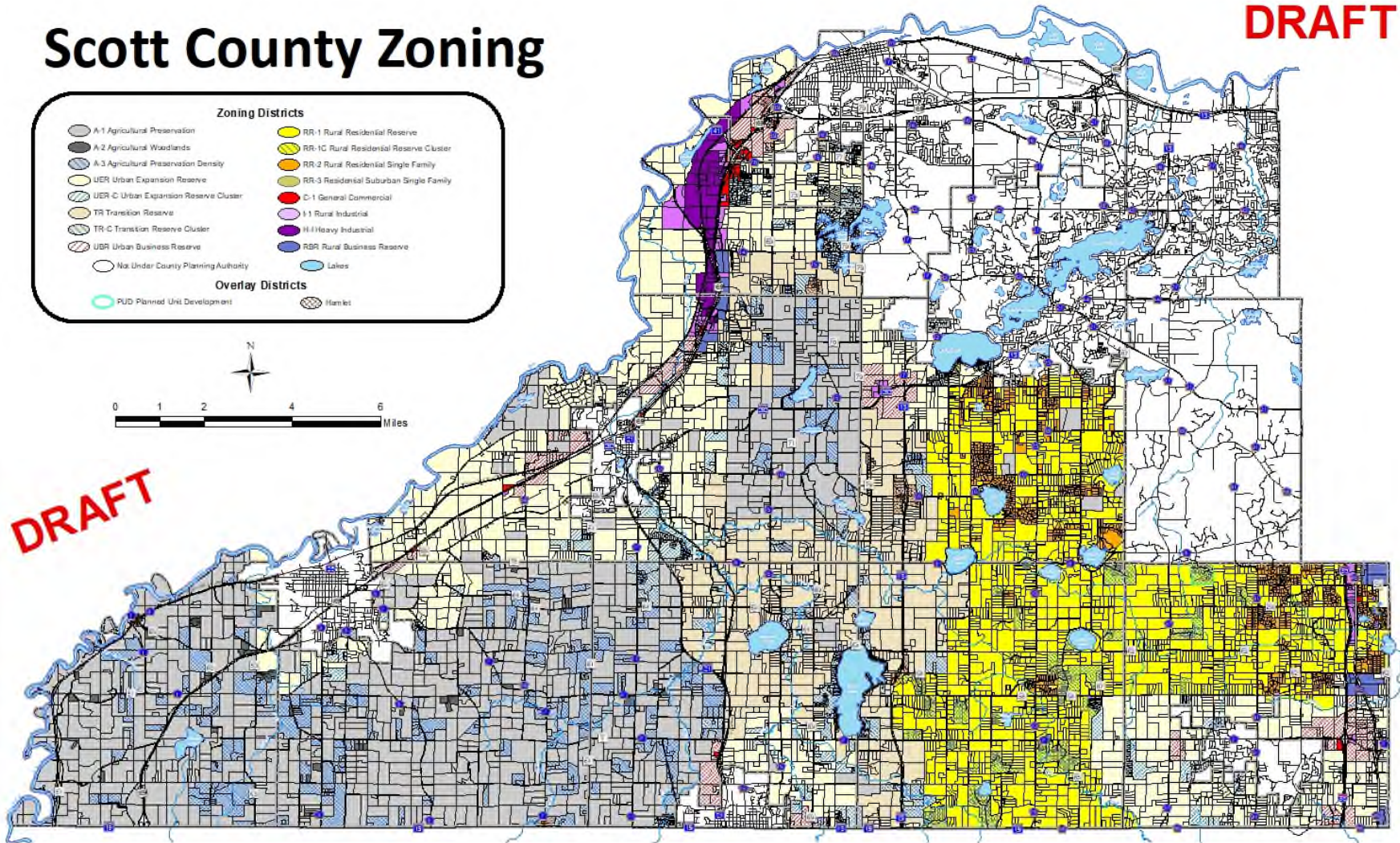
☐ Featured in April/May County *SCENE* and *Speak Up Scott County*

Scott County Zoning

DRAFT



DRAFT



SCOTT COUNTY PLANNING & RESOURCE MANAGEMENT
Zoning Administration
201 Fourth Avenue West, Shakopee, Minnesota 55379-1220
(952) 496-9652 • Fax (952) 496-9496 • Web: scottcountymn.gov

Scott County Zoning Districts

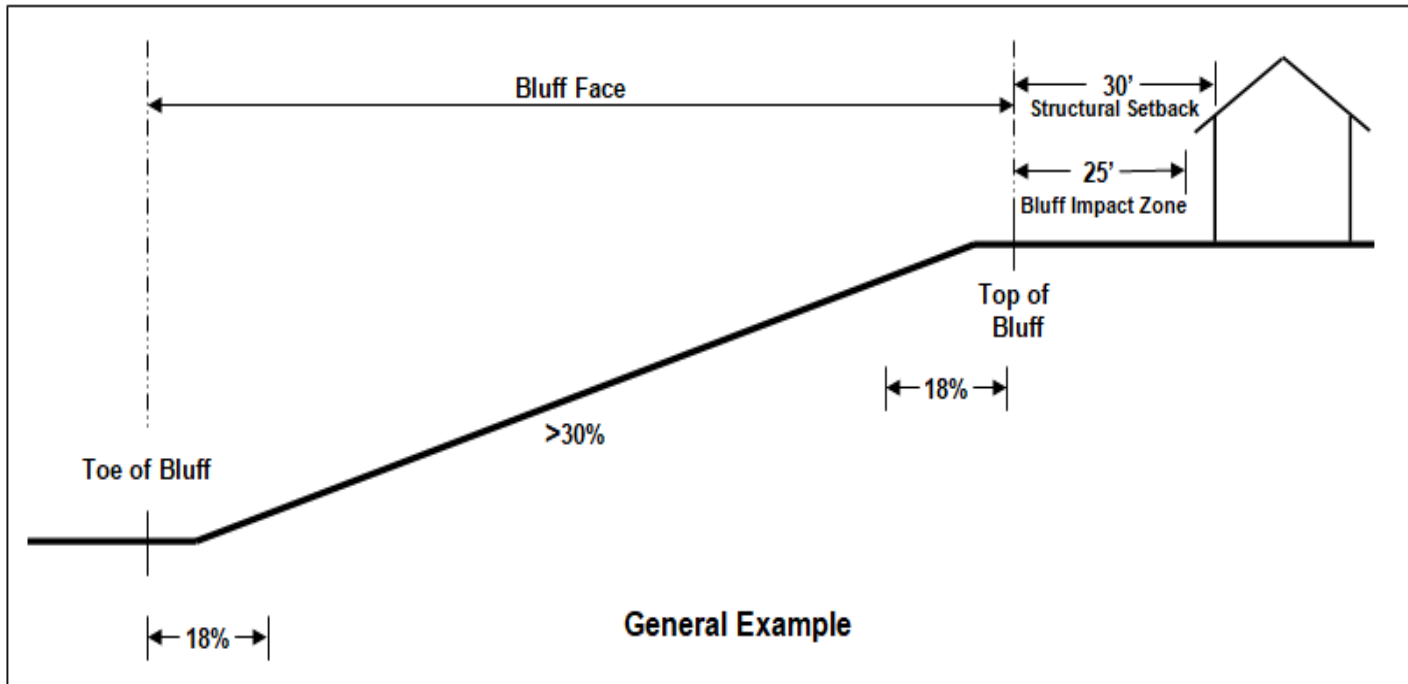
Public Hearing Draft
Map Date: April 1, 2020

This map is a legally recorded document. It is a compilation of records, information, and data located in various public ownership, city and state offices, and other sources reflecting the area shown, and is to be used for reference purposes only. This is not a survey and is not intended to be used as one. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Scott County Zoning Administration or the Scott County Surveyors Office.

Bluff Standards:

- ❑ Tactic to Board Strategy: *Enhance the safety of residents by ensuring efforts that prepare residents and communities for emergencies*
- ❑ 30 to 50 ft setback for homes (not accessory or Ag bldgs.)

Figure 1: Bluff Standards



Accessory Dwelling Units:

- ❑ Introduced in 2010 ordinance revisions
- ❑ 12 ADUs permitted since
- ❑ Non family member caretaker would now allowed to occupy unit



Mining Chapter:

- ❑ Only chapter to undergo a total re-write
- ❑ Most stakeholder involvement to date
- ❑ Key Updates
 - ❑ Removing the portable asphalt and concrete plants from the mining chapter
 - ❑ Expanded the submittal requirements to include a ground water protection plan, cross-sections showing the extent of the deposit, site screening description including view shed analysis and photometric plan, traffic study and blast monitoring plans
 - ❑ Clearly defined annual report requirements.

Mining Chapter:

□ Key Updates – continued

- Greater detail on the land reclamation requirements including fill material specifications and requirement that 25% to 50% of the site be reclaimed to a condition whereby it can be utilized for the types of land use typical of those permitted within the zoning district. (Note: this is consistent with 2040 Comp Plan policy)
- Expanded Operational Standards including screening barriers, access requirements, defined hours of operation & blasting, requirements for blast monitoring and dust control

Site Access Standards:

□ Consistent with 2040 Plan

- Right, left, and/or bypass lanes shall be required on County Principal Arterial or Minor Arterial (A&B) future functional classification designated roadways for any plat creating four (4) or more lots or have the ability to create more than four lots. Turn lanes shall be constructed on the County road intersection at time of development.
- In a Township with an adopted turn lane fee ordinance, right, left, and/or bypass lanes shall be required on County Collector or Local future functional classification designated roadways for any plat creating ten (10) or more lots or have the ability to create more than ten lots. Turn lanes shall be constructed within twelve (12) months of the issuance of the tenth building permit for new home construction in the development.
- In a Township with no adopted turn lane fee ordinance, right, left, and/or bypass lanes shall be required on County Collector or Local future functional classification designated roadways for any plat creating four (4) or more lots or have the ability to create more than four (4) lots. Turn lanes shall be constructed at time of development.

Site Access Standards:

□ Standards Subject to Land Use Permits

- All existing driveway or field access locations may be modified, closed or altered as a condition of approval for any plat, zoning permit, grading permit or building permit issued by the County.
- Turn lanes may be required as a condition of approval for certain traffic-generating land uses permitted by right, conditional or interim.

Commercial Sign Standards:

- ❑ Included Institutional uses with Commercial & Industrial for signage standards
- ❑ Increased total amount of business/institutional signage from 250 square feet to 500 square feet
- ❑ Added regulations allowing taller signs at grade separated interchanges

“Tricky” Land Use Standards:

- ❑ Dog kennels – developed permit types for larger numbers of dogs, and public vs private kennels
- ❑ Day parks – separated this use from a private campground and added definitions for both
- ❑ Hunting club/Shooting ranges – added standards for new facilities
- ❑ Outdoor recreational uses – defined these uses versus a private day park

Accessory Buildings:

- ❑ Requests for more indoor storage space and taller building heights
- ❑ Response to strong town board support

Scott County's current regulations:

Lot Size	Maximum Building Area	Height
Less than 1 acre	1,000 square feet	15 feet
1 – 1.99 acres	1,600 square feet	18 feet
2 – 4.99 acres	2,000 square feet	18 feet
5 – 7.99 acres	2,600 square feet	20 feet
8 – 9.99 acres	3,200 square feet	20 feet
10 – 19.99 acres	4,000 square feet	24 feet
20 – 39.99 acres	5,000 square feet	24 feet

Scott County's proposed regulations:

Lot Size	Maximum Building Area	Height
Less than 1 acre	1,000 square feet	18 feet
1 – 1.99 acres	2,000 square feet	20 feet
2 – 4.99 acres	3,000 square feet	20 feet
5 – 7.99 acres	3,600 square feet	20 feet
8 – 9.99 acres	4,000 square feet	24 feet
10 – 14.99 acres	5,000 square feet	24 feet
15 – 39.99 acres	6,000 square feet	24 feet

Other Notable Revisions:

- ❑ RR-1 Rural Single Family District drops non-wetland criteria for determining density
- ❑ Garage/storage footprint can exceed living area in Ag and UTR zoning districts, on lots 10+ acres
- ❑ Permit required for any land alterations that artificially drain surface water, or that obstruct or redirect natural flow where the drainage area exceeds 50 acres

Comments (to date)

Questions?



SCOTT COUNTY PLANNING DEPARTMENT

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8475 • Fax (952) 496-8496 • Web www.co.scott.mn.us

June 29, 2020

[REDACTED]
[REDACTED]
[REDACTED]

Dear Property Owner:

This letter is to inform you of a proposed rezoning of your property. Scott County is updating its zoning ordinance and zoning map this summer, based on recommendations in the County's adopted *2040 Comprehensive Plan*.

Under the draft Zoning Map, your property is proposed to move from the C-1 zoning district to the UBR zoning district in BELLE PLAINE Township

Included in this packet is general information for the new zoning district proposed for your property. Also included is a notice for a public hearing on the County's zoning ordinance and zoning map updates.

If you have any questions regarding this notice or would like to make formal comments for the public hearing, please contact me at (952) 496-8654 or bdavis@co.scott.mn.us.

Thank you,

Brad Davis, AICP
Planning Manager
Scott County Planning Department

PID(s):

[REDACTED]



SCOTT COUNTY ZONING ADMINISTRATION

GOVERNMENT CENTER 114 - 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8653 • Fax (952) 496-8496 • Web www.scottcountymn.gov

NOTICE OF PUBLIC HEARING **FOR COMPREHENSIVE REVISIONS TO SCOTT COUNTY** **ZONING ORDINANCE NO. 3 AND SCOTT COUNTY** **SUBDIVISION ORDINANCE NO. 7**

You are hereby notified that a public hearing will be held by the Scott County Planning Advisory Commission on:

Monday, July 13, 2020 at 6:45 PM

PURPOSE OF HEARING: To consider updates to the Scott County Zoning Ordinance No. 3 and Scott County Subdivision Ordinance No. 7

Due to a local state of emergency declared due to the ongoing health pandemic the regular meeting location, the Scott County Board Room, has limited space available to maintain physical distancing and safely support a large in-person audience. **The meeting will be webcast live on YouTube.** A link to the Scott County YouTube video can be found on the official county website home page located at: www.scottcountymn.gov.

It is strongly recommended that if you have a question, comment or concern about any ordinance revisions that you reach out to the Planning & Zoning staff ahead of the meeting to obtain information and answers, contact information is listed below.

The draft Zoning Ordinance and Map and Subdivision Ordinance is available to review on the Scott County web site. Once on the website, please go to Community, Community Development, then Planning & Zoning.

The agenda and further information regarding the hearing will be available, after 7/02/2020, on the Scott County web site: www.scottcountymn.gov. Once on the website, please go to Government, then Citizen Advisory Boards, Commissions, & Committees, then Planning Advisory Commission, then Most Recent Agenda and Minutes, then download the 07/13/2020 agenda, and click on the specific project item.

Individuals who wish to provide public comment or have questions related to this hearing may send those by email to: planning@co.scott.mn.us. This email will be monitored before and during the meeting.

Individuals may also contact the Planning Manager, Brad Davis on this project prior to the meeting date by email: bdavis@co.scott.mn.us or phone: #952-496-8654.

Individuals who wish to view the live webcast of the hearing but are unable to from home, the Jordan Public Library will have extended hours July 13 to provide a small number of computers for viewing. To reserve a computer, please call #952-496-8050.

DATE MAILED: June 29, 2020

New Market Township

Zoning Districts

- A-1 Agricultural Preservation
- A-2 Agricultural Woodlands
- A-3 Agricultural Preservation Density
- UER Urban Expansion Reserve
- UER-C Urban Expansion Reserve Cluster
- TR Transition Reserve
- TR-C Transition Reserve Cluster
- UBR Urban Business Reserve
- Not Under County Planning Authority

Overlay Districts

- RR-1 Rural Residential Reserve
- RR-1C Rural Residential Reserve Cluster
- RR-2 Rural Residential Single Family
- RR-3 Residential Suburban Single Family
- C-1 General Commercial
- I-1 Rural Industrial
- I-2 Heavy Industrial
- RBR Rural Business Reserve
- Lakes

PUD Planned Unit Development

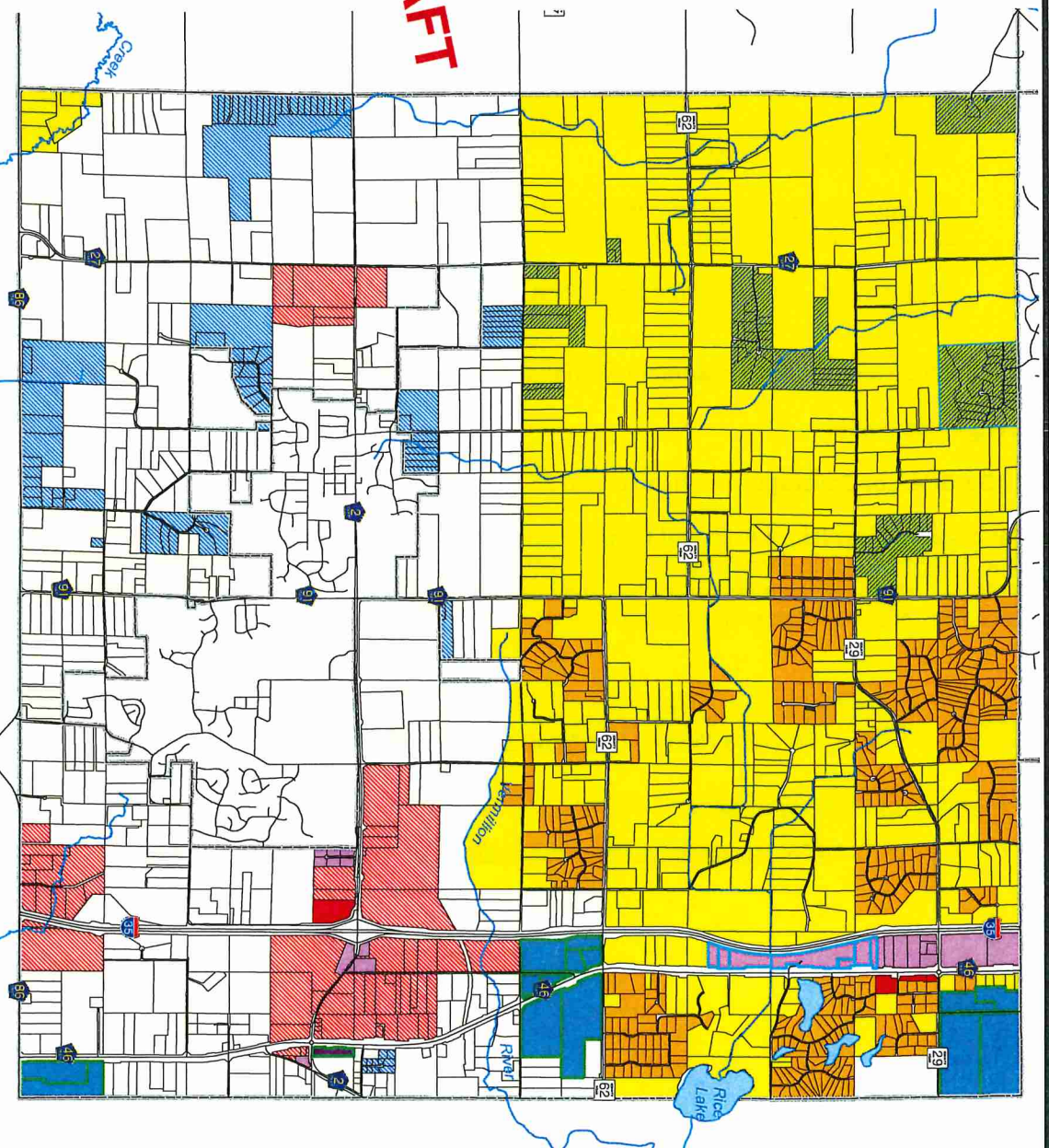
Hamlet

Closed Landfill Restricted

Parcel with Zoning Change

PID	Zoning	Current ACRES	Zoning	New
89010010	UER	97.94	RBR	
89010011	UER	96.32	RBR	
89010095	UBR	4.63	I-1	
89010097	UBR	8.81	I-1	
89120010	UBR	28.41	I-1	
89120012	UBR	0.68	I-1	
89120060	UBR	2.92	I-1	
89120110	UBR	4.97	I-1	
89120120	UBR	13.81	I-1	
89120130	UBR	5.43	I-1	
89130074	UBR	33.17	RBR	
89130075	UBR	74.73	RBR	
89130080	UBR	9.91	RBR	
89130090	UBR	8.74	RBR	
89130091	UBR	7.89	RBR	
89130150	UBR	53.72	RBR	
89130160	UBR	0.86	RBR	
89130170	UBR	5.50	RBR	
89130171	UBR	8.82	RBR	
89250090	I-1	7.73	I-2	
89360120	A-1	37.52	RBR	
89360121	A-1	30.21	RBR	

DRAFT



SCOTT COUNTY PLANNING & RESOURCE MANAGEMENT
Zoning Administration
200 Fourth Avenue West, Shakopee, Minnesota 55379-1220
(952) 456-6551 - Fax (952) 456-6496 - Web: scottcountymn.gov

Scott County Zoning Districts Public Hearing Draft

This map is a legally recorded document. It is a compilation of records, information, and data located in various county, township, and city records. It is not a survey and is not intended to be used as one. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Scott County Zoning Administration or the Scott County Surveyors Office.



SCOTT COUNTY ZONING ADMINISTRATION

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RBR, RURAL BUSINESS RESERVE DISTRICT

Purpose: The purpose of this district is to reserve land for rural commercial uses when suitable road access and on-site septic, water and storm water utilities or infrastructure can be provided in locations specifically guided by the Comprehensive Plan.

District Performance Standards

Platting Required:	No building or structure shall be constructed on unplatted property, except for the addition of accessory structures or additions to existing buildings. Platting will be deemed premature if suitable road access and on-site septic, water and storm water utilities or infrastructure is not provided to serve the use.
Lot Area:	A minimum of two and one-half (2.5) acres.
Lot Width:	A minimum of two hundred (200) feet at the minimum front yard setback line and extending to the location of the principal structure.
Front Yard Setback:	All structures - 150' from centerline of County/State Road or 100' from County/State Road Right-Of-Way, whichever is greater. 100' from Centerline of Local Public Street or 67' from Local Public Street Right-Of-Way, whichever is greater.
Side Yard Setback:	All structures - 20', or on corner lot see front yard setback. 150' from an existing rural residential, residential suburban, or urban expansion district.
Rear Yard Setback:	All structures - 30'. 150' from an existing rural residential, residential suburban, or urban expansion district.

No Structure shall be located in an easement, wetland, shoreland setback, or within the 100 year floodplain.

Structure Height Maximum: 45'

Impervious Surface Lot Coverage: No more than 75% of the lot.

Commercial Accessory Building Area and Height: Buildings not exceeding 30% of the gross floor space of a principal building are allowed through an administrative permit. Larger commercial accessory buildings are allowed through a conditional use permit provided the accessory building does not exceed 70% of the gross floor space of the principal building. Accessory buildings shall not exceed the height of the principal building.

* The information presented on this sheet is a summary of the performance standards as set forth in the Scott County Zoning Ordinance and is for informational purposes only. The official zoning regulations can be found within Scott County Zoning Ordinance No. 3 by contacting Scott County Community Development or on the Scott County Web-site at <http://www.scottcountymn.gov> using the following links:

Zoning Ordinance:
<http://www.scottcountymn.gov/864/Numerical-Listing> then select No. 3 Zoning Ordinance

Mapping Applications – Scott GIS3 (SG3): <https://scottcountymn.gov/308/Geographic-Information-Systems-GIS>

Table 20-4

P = Permitted Use C = Conditional Use I = Interim Use AD= Administrative Use AC = Accessory Use Blank = Prohibited Use P-10, C-10, I-10 = Use is allowed only on parcels 10 acres or greater															
Use	A-1	A-2	A-3	UER	UER-C	UBR	UTR	UTR-C	RR-1C	RR-2	RR-3	C-1	RBR	I-1	H-1
Salvage yard														€	C
Sanitary or demolition landfill														€	C
Satellite dishes and antennas	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC
School and facilities serving less than 150 students												C			
Security structure												AD	AD	AD	AD
Sexually Oriented Uses														€	C
Signs	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC
Single family detached dwellings	P	P	P	P	P	P	P	P	P	P	P		P		
Solar Structure, Private	P	P	P	P	P	P	P	P	P	P	P				
Solid and hazardous waste transfer station														€	C
Solid waste processing facility														€	C
Swimming pools	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC				
Temporary outdoor promotional event and sales												AD	AD	AD	AD
Temporary roadside stand for ag sales	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC					
Temporary structure												AD	AD	AD	AD
Towers less than 35 70 feet in height for personal use	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD
Truck stop												C			
Warehousing															
Wholesaling													C	AD	AD
Wind energy conversion systems - commercial	C	C	C	C		C	C						C	AD	AD
Wind energy conversion systems - non-commercial	AD	AD	AD	AD		AD	AD		AD-10					C	C
Wireless communication antennas	AD	AD	AD	AD	AD	AD	AD		AD	AD	AD	AD		AD	AD
Wireless communication towers and antennas (see Chapter 13)	C	C	C	C		C	C		C			AD		AD	AD
Yard and tree waste composting site														€	C

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Mining (Under 500 cubic yards)	AD	AD	AD	AD	AD	AD	AD	AD	AD				AD	AD	AD	AD
Mining (500 cubic yards or more)	I	I	I	I	I	I	I	I	I				I	I	I	I
Mobile home for infirmed family member	I	I	I	I	I	I	I	I	I							
Mobile home for full time farm employment	I	I	I	I	I	I	I	I	I							
Mobile home while building new home	I	I	I	I	I	I	I	I	I							
Motor vehicle fuel sales and service													C		C	C
Motor vehicle repair garage															C	
Offices and professional buildings													AD	AD	AD	AD
On-site parking and loading													AC	AC	AC	AC
Open outdoor sales, rental, or display area													AC	AC		
Outdoor commercial recreational use	C	C	C	€I		I	C		C				AD			
Outdoor parking of semi-tractor trailers															AC	AC
Outdoor storage accessory to principal use														AC	AC	AC
Paintball range	C	C	C						C							
Park and ride facility	C	C	C						C				AD			
Play and recreational facilities	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC				
Private airport or heliport	C	C	C				C		C							
Private campground	C	C	C	I	I	I	I	I	C	I			I	I		
Private day park	C	C	C	I	I	I	C		C				I	I		
Private garages	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC				
Private horse riding arena	C	C	C	C	C	C	C	C	C	C	C					
Private stable	P	P	P	P	P-10	P	P	P-10	P	P-10	P-10					
Private stable with excess animal units	AD	AD	AD	AD	AD-10	AD	AD	AD-10	AD	AD-10						
Properties with more than one principal structure													C	C	C	C
Public parks, campgrounds, rec. areas, historic monuments	P	P	P	P	P	P	P	P	P	P	P	P				
Public stable	C	C	C	I	I-10		C		C	I-10	I-10					
Railroad ROW	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Railroad yard															€	C
Recycling center															€	C
Residential care facility with 6 or fewer persons	P	P	P	P	P	P	P	P	P	P	P	P				
Residential care facility not exempted by state statutes		€							€							
Restaurant including fast food and drinking establishment													C			
Retail commercial establishment													AD			
RV parking and storage for private use	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC				
Sales display access. to principal use (in/outdoor)													AC		AC	AC

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Use	A-1	A-2	A-3	UER	UER-C	UBR	UTR	UTR-C	RR-1	RR-1C	RR-2	RR-3	C-1	RBR	I-1	H-1
Essential services - Transmission/Utilities/Substations	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C
Fair and fairgrounds				C												C
Farm equipment sales	I	I	I	I		I	I									
Farm market	C	C	C	I	I		I	I	C							
Farm wineries and vineyards	C	C	C	I	I		I	I	C							
Feed mills													AD			
Feedlots (new) greater than 50 animal units	P		P	C		C	P									
Feedlots greater than 250 animal units	P		P	C		C	C		C							
Feedlots greater than 500 animal units	C		C				C									
Fences	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC
Fences taller than maximum height standards	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD
Fish and frog farm/hatchery	C			I		I	I		C							
Forest or game management	P	P	P	P	P	P	P	P	P	P						
Freight transportation terminal																
Golf courses/driving ranges	C	C	C	C	C		C	C	C	C	C				€	C
Grading permit	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD
Grain terminal															€	C
Group care facility	€		€													
Home extended business	C	C	C	I	I-10	I	I	I-10	I	I-10	I-10			I		
Home occupations	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD		AD		
Housing with services establish. w/6 of fewer persons	P	P	P	P	P	P	P	P	P	P	P	P				
Hunting Club/Shooting Range	C	C	C													
Indoor commercial recreation													AD		AD	
Indoor storage space or garage rental													AD		AD	AD
Industrial accessory building up to 50% gross sq ft														AC	AC	AC
Industrial accessory building over 50-70% gross sq ft														C	C	C
Informational center with residential subdivision	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD				
Kennel, Private with 5 to 8 dogs	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD				
Kennel, Private with 9 to 25 dogs	C	C	C	I	I	I	I	I	C							
Kennel, Public with 5 to 25 dogs	C	C	C	I	I	I	I	I	C				C	C		
Large assembly for 250-499 individuals	AD	AD	AD	AD	AD	AD	AD	AD	AD				AD		AD	AD
Large assembly for greater than 500 individuals	I	I	I	I	I	I	I	I	I				I		I	I
Limited livestock raising	P	P	P	P	P-10	P	P	P-10	P	P-10	P-10					
Lumber yard and landscape supply													C	C	C	C
Manufacturing, processing, packaging or assembly														AD	AD	AD

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Use	A-1	A-2	A-3	UER	UER-C	UBR	TR	TR-C	RR-1	RR-1C	RR-2	RR-3	C-1	RBR	I-1	H-1
Accessory Dwelling Unit, Attached	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD				
Accessory Dwelling Unit, Detached	I	I	I	I	I	I	I	I	I	I	I	I				
Agricultural buildings	P	P	P	P	P-10	P	P	P-10	P	P-10			P	P	P	P
Agricultural uses	P	P	P	P	P	P	P	P	P	P			P	P	P	P
Agricultural machine shop	C	C	C	I	I-10	I	C	C-10	C	C-10						
Agricultural tourism	C	C	C	I	I		I	I	C							
Animal hospital	C	C	C	C		C	C		C				AD			
Animal shelter													C			
Animal, small vet clinic													AD			
Auction house, flea market													C			
Auto, implements, heavy equipment, truck, RV sales													C			
Auto, truck major repair, body shop														C	C	C
Bed and breakfast establishment	C	C	C	C	C	C	C	C	C	C						
Billboard/Advertising signs															C	C
Boarding or renting of rooms	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC				
Brewpub, Microbrewery, Microdistillery	C	C	C	I	I		I	I	C				C		C	C
Cemetery	C	C	C	C	C		C	C	C	C	C	C				
Church	C	C	C	C	C		C	C	C	C	C	C				
Commercial accessory building up to 30% gross sq ft													AC	AC		
Commercial accessory building over 30-70% gross sq ft													C	C		
Commercial bulk liquid storage	C	C	C	I		I	I		I						€	C
Commercial freestanding satellite dish	C	C	C										P	P	P	P
Commercial livestock experiment station	C		C													
Commercial nursery or greenhouse	C	C	C	I		C	C		C				C	C		
Community solar energy system, rooftop	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC
Community solar energy system, ground mounted	C	C	C	I	I		I	I					I		I	I
Concrete and asphalt mixing plant, permanent															€	C
Concrete and asphalt mixing plant, portable, accessory to mine	I	I	I	I		I	I		I				I	I	I	I
Contractor yard													C		C	C
Convenience Store-Gas Sales Station																
Daycare center													AD			
Daycare, In Home & Group Family	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC				
Drainage systems/flood control	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential services - Government uses, buildings, storage	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Essential services - Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P